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8906

S.No 8906

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Madurai coll. rd
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1839

List of Retainable papers for 1839.

Received Letters. Board file. Madura Collectors' Office.

Date.	Number.	From whom received:	Substance.
3/1		Secy. Bd. of Rev.	Forwarding copy of a letter to the Chief Secretary and Nerv: Con: Authorising grant of maunioms land to Cavelgars for the Andipatty pass Carr. 26-10½ or Rs 50-14-7.
21/1	"	Do	Informing him that Vyappah body Petitioner in No 961 of 1838 appears to have as good a claim on the score of inheritance to the office of Nattamgar in the village of Chittoor as the individuals now holding the office and as there is nothing in the cause which led to his dismissal in fusli 1238 to preclude his reemployment, the Board desire that he should not be considered ineligible for appointment on the occurrence of a vacancy
		Do	Register of Petitions for November and December 1838.
		Do	Approving of the suspension by him of the Piranmalai Tamiran from any interference in the five pagodas of that Institution in Sivagunga Zemindary for charges of malversation of its funds and calling for a full report the case. [not found in the f...

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Madur
* செப்
Jan
செப்பே
* Feb மா
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* ஆராய்
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List of Retainable papers for 18

Received Letters. Madura Collector's

Date	Number	From whom received	Substance
24/1	"	C. H. Cotton Esqre	Circular fro Mr C Cotton calling for further information with reference to his former letters of the 28th August and 25th October
11/2	"	Secy, Bd of Rev	Transmitting a Petition from Subbiramania Sastry of Kutchapat and authorising the restoration of $1\frac{3}{8}$ cawnie of land claimed by him if it formed part of the of which he was rightfully in possession previous to petition
4/3	"	C. H. Cotton Esqre	Circular from Mr C H Cotton calling for information on several points to enable him to review the revenue charges with intent to reducing Establishments and simplifying forms of accounts &c in the Talug or Collector's Cutcherri
11/3	"	Secy, Bd of Rev	Transmitting a Petition Mootoovar Colaby Nachiyar of Ramaswami Tevan &c for opinion if her allowance should be increased to Rs
2?	"	do	Register of Petitions for January and February
27/3	"	C H Cotton Esqre	Forwarding Form of Stat

Number.	From whom received.	Substance.
		in Maharatta to be prepared in that language explanatory of the causes of increase and decrease in cultivation and revenue
28/3	Secy Bd of Rev	Noticing the Board's readiness to await the P. Collr's final decision on the matter referred to in his address of the 14th instt respecting the Piranmalai Tumbiran. [not found in the file]
		Transmitting copy of a despatch from the Court of Directors to the Govt of Bombay reporting result of the appeal to the Queen in Council in the Case of Mills Collr of Haira apellant versus Pestanjee Khoorsedjee Respondent.
	E. R. Coxe Esqre	Requesting to submit such accounts as may be most easy to be framed in lieu of his former requisition if forms cause much trouble.
	Secy Bd of Rev	Rejecting Petition No 263 of 1839 under the explanation afforded by the P. Collr's d 5th instt regarding the dismissal of the Petitioner from the office of Nattamgar
4	do	Procgs on the Settlement

3

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date.	Number	From whom received.	Substance.
			Land Rev. for fusli 1247
16/5	4	Secy. Bd of Rev	Transmitting for consideration and report an appeal Petition No 608 of 39 from certain Amblagars of Tennynagel in his District.
20/5	"	Do	Forwarding Extract of a General letter from the Court of Directors of the 9th May 1838 in Para 80 permitting Zemindars or one of the family to manage Estates as ~~one of~~ an ameen in cases of Temporary attachment.
Do	"	Do	Forwarding Extract of a General letter from the Court of Direct. of the 9th May 38 Paras 10 to 12 approving the Settlements of the Land and Extra Sources of Revenue for fusli 1244 as reflecting much credit on the Collr's management
3/6	"	Secy. Bd of Rev	Notifying the orde of Govt on Petition No of 39 to be communicated to Mootoovaub in Colaby Nachyar (view) of their [illegible] tion

List of Retainable papers for 1839

Received Letters. Board File Madura Collectors' Office.

Number	From whom received:	Substance.
		resolution to recommend to the Court of Directors payment of arrears of pension from the 22nd March 1830 to 1st January 1836.
6	Secy Bd of Rev	Approving of the Pl Collr's having rectified the inaccuracy of the late Pl Collr, Mr Peter in his discription of the degrees of relationship of the surviving branches of the Family of the Meenatchy the widow of Murdhoo Sherragar of Shevagunga and leaving to his discretion to continue certain charg
	Do	Communicating the endorsement passed on Petition no 608 of 39 respecting the ~~Petition~~ Petitioner's share in the ambalom mirassy of Tennyrayel village
Do	Do	Forwarding copy of a minute recorded by the Governor General on the process followed in the Upper Provinces of Bengal for assessing and settling the Land Revenue in contrast with that observed in the Ryotwar districts of the Madras Presidency and calling for

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Number.	From whom received.	Substance.
		information to particular questions in para 12 of the minutes in so far as they are applicable to different districts.
6 ,,	Secy, Bd of Rev	Communicating to him the orders of Govt for making over the Estates of Ediacotah and Mambaray to their respective proprietors with the reduced Peishcush fixed thereon by Govt
7 ,,	C R Cotton Esqr	Calling for certain accounts of supposed over-assessed villages in Dindigul and similar accounts of a few of the 52 villages included in Mr Peter's Statement of the 22d February 28 as per Forms accompanying.
[illegible] ,,	Secy, Bd of Rev	Forwarding min: of Consultation on the Settlement of Fusli 1247.
[illegible] ,,	C R Cotton Esqr	Circular from Mr C R Cotton enclosing a Form for accounts of a few villages which had most decidedly improved in the last 10 or 15 years as well as a few which had decidedly deteriorated

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date	Number	From whom received	Substance
5/8	"	Revy Bd of Rev	Calling for a return of all schools maintained by aid of Inams Geomechs or other assignments of the Public Revenue
26/8	"	Do	Transmitting copy of an Extract from the Min: Con: of the 12th instt having reference to certain observations recorded by him in his letter of the 16th Feby 38 and desiring him to acquaint the Petitioner in No 426 of 39 of his receipt of the orders to associate him (Petr) in the Mirassy on the occurrence of a vacancy.
Do	"	Do	Transmitting for his information and guidance copy of a correspondence with Govt on the Subject of the Peishcush of Kollemanthal Zemindary and desiring him to report the amount of reduction it will be proper to make in it to enable the present proprietor to hold it with profit to himself
2/9	"	Do	Sanctioning continuance of the allowance of Rs 20 p.m. to Tumbajee Gopyah Naick

List of Retainable papers for 18

Received Letters. Madura Collector's Office.

Date	Number	From whom received	Substance
			Succession to his father Cropyah naick, late Zemindar of Saudyapuli [not found in the file].
2/9	"	Sec^y, B^d of Rev	Calling for further information respecting the proposed certain reductions in the assessment of the lands of Vadaputty village in the Dindigul D^n
23/9	"	do	Register of Petitions for July and August.
3/10	"	do	Requiring more particular information in the case of Petition No 748 of 39 regarding the high rate of Shrotrium claimed by the Petitioners.
10/10	"	C. L. Cotton Esqr	Circular from Mr C. L. Cotton requiring a Statement of the cultivation of Inam lands from any period as per form accompanying.
28/10	"	Sec^y, B^d of Rev	Forwarding para 70 from a letter ~~of the~~ from the Court of Directors approving the grant of remission of Moturpha Tax both prospectively and

List of Retainable papers for 1839

Received Letters. Board file Madura Collectors' Office.

9

Date.	Number.	From whom received.	Substance.
			and retrospectively from the Permanent Peishcush of the Sheva-gunga Zumindary :-
2/4	"	Secy, Bd of Rev	Forwarding copy of a letter to the Chief Secy to Govt and their con: authorizing assumption of the Zemindary of Kullernauth for 3 years to ascertain the correctness of the Peishcush propsed to be reduced by the Mootahdar.

Index for 1839-

1839 January	3d	Forwarding Copy of a letter to the Chief Secretary and Minutes of Consultation authorizing grant of Manium land to Cowdigaes for the Andeputty pass Cau. 26. 10½ or Rupees 50.14.7	1
	7th	Forwarding Petitions bearing Endorsement	5
	17th	Calling attention to Circular order of the 15th November last directing every Communication should bear a brief Endorsement of its purport	7
	21st	Forwarding Extract from the Minutes of Consultation on the proceedings of the Extra sources of Revenue for fusly 1247	11
	"	Precluding the re employment of Nyapa Reddy with the 2 persons now in possession of the Nattamai of Chittoor Village because the two are sufficient and the pay too small for more but directing to be born in mind that he is not to be considered ineligible to appointment at a future opportunity	19
	24th	Register of Petitions for November & December	23
	"	Approving the suspension of the Peramalai Thambiran previous to investigation into Charges of malversation of the Funds of the institutions under him	29
	"	Circular from Mr C. R. Cotton Calling for further information with reference to his former letters of the 28th August and 25th October 1838	33
	28th	Sanction for actual Charges without Estimate for fusly 1247 in the Magisterial Depart.t	

	and Contingent Charges in the 1st Quarter of Fusly 1248 and forwarding an Extract with the Orders of Government	37
January 28th	Sanction for Police Establishment in the Shevagunga Zemindary from 8th May to 30th June 1837 or Fusly 1246 previously retrenched	39
February 4th	Authorizing disbursement for the repairs of Pagodas & other purposes to be defrayed from the Surplus funds of the respective institutions	41
7th	Forwarding Petitions bearing Endorsements	43
11th	Authority for restoring land (1 3/8 Cawny) claimed by Soobramoneya Saustry of Kutchakutty in Petition No. 1095 of 1838	45
"	Forwarding Extract of a letter from the Court of Directors of the 19th September 1838 with resolution of Government thereon directing restrictions of Tuccavee within the most moderate limits	49
28th	Requesting date of the Boards order for discontinuance of an increased demand on Service Maunium land after improvement of the practice alluded to in the 3rd Para of the Principal Collector's letter dated 24th January last	57
March 4th	Circular from Mr. C. R. Cotton calling for information on several points to enable him to review the Revenue Charges with intent to reducing Establishments and simplifying forms of Accounts &c. in the Village Talook or Collector's Cutcherries	61
7th	Forwarding Petitions bearing Endorsements	67
"	Sanctioning the Charges of 100 Rs. for the Curnums Huts on the Pulney Hill	69
11th	Transmitting a Petition from Moottoovar Colaly Nautchyar widow of Ramasamy Taven & calling for Opinion if her allowance should be increased to 100 Rupees a Month	71

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	11	Forwarding Extract from the Minutes of Consultation of the 28th February 1839 proposing that Treasure Escort be furnished from Native Veteran Battalions assisted by Peons of the Collectors from whose Treasuries the remittance may be made as far as possible	75
	21	Directing applications for a high rate of Batta to the Native Dresser attached to the Sub Collector should be submitted in the Military Departt. through the Zillah Surgeon as the proper channel	79
	25	Register of Petitions for January & February last	83
	26	Sanction for actual Charges incurred without Estimate for fasly 1247	89
	27	From Mr. C. R. Cotton forwarding Form of a Statement in Maratta to be prepared in that language Explanatory of the Causes of Increase and Decrease in Cultivation and Revenue	91
	28	Notifying the Register of Petitions is not Endorsed as directed in the Circular orders of the 15th November 1838 and the 17th January last and stating that in future they should be returned if not drawn up according to Form	95
	"	Declining to recommend restitution of sums levied from Petitioner in No. 977 of 1838 for improved Manium land although made since the date of the Boards Proceedings of the 22d. March 1834 prohibiting such increased demand and returning Petition with Endorsement	97
	28	Noticing the Boards readiness to await the Principal Collectors final decision on the matter referred to in his address of the 14th Instant respecting the Parimalai Tiemberan	101
	"	Forwarding Extract from the Minutes of Consultation	

Consultation desiring that the Annual Population Returns may be compiled with as much accuracy as possible - - - - 103

March 28. Forwarding Resolution of Government to avoid troubling Regiments of the Lines as far as possible by intrusting detached duties to Invalid Battalions assisted by the Peons - - - - - - - - - 107

April 4. Authorizing Confiscation & sale of Smuggled goods for January 1839 - - - - - 111.

8. Forwarding Petitions bearing Endorsements 113

11. Calling for information whence has arisen the increase of shipping & wherein the public revenues have benefitted since improvement of the Paumbon Passage - 115

" Transmitting Copy of a Despatch from the Court of Directors to the Government of Bombay reporting result of the appeal to the Queen in Council in the case of Mills Collector of Kaira Appellant versus Pestanjee Koorsedjee Respondent 119

" From Mr. C. R. Cotton requesting such accounts as may be most easy be framed in lieu of his former requisition of forms cause much trouble - - - 159

13. Notifying the despatch of 2000 Salt Rowanahs by Banghy - - - - - - - - - 163

15. Directing Monthly returns of Petitions referred by the Board according to an annexed Form - - - - - - - - 165

" Rejecting Petition No. 263 of 1839 under the Explanation afforded by the Principal Collector dated 5. Instant - - 169

18. Notifying despatch of 6000 Salt Rowanahs by Cooly - - - - - - - - - 173

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22. Forwarding Extract from the Minutes

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	Consultation of the 11th April directing aid to be afforded to Mr Franklin appointed to prosecute the Survey of the Gulph of Manar	177
April 22d	Sanction for Contingent Charges incurred in the 2d Quarter of Fusly 1248	181
"	Do for Extra Sibbendy for forming the Jummabundy Accounts of Fusly 1248 ..	187
29th	Proceedings on the Settlement of Land Revenue for Fusly 1247	193
May 9th	Forwarding Petitions bearing Endorsements.	217
16th	Authorizing direct Communication with the Sea Custom Collector at Columbo in future in all Cases referred in the Principal Collector's letter of the 24th April being in Connection with Port Clearances &c	219
"	Sanctioning Rupees 6. 10 .. on account of certain Articles included in the Statement of Contingent Charges for 1st Quarter of Fusly 1248	221
"	Transmitting appeal Petition No 008 of 1839 for report	225
20.	Authorizing distribution of the proceeds of Smuggled Goods for February	227
"	Forwarding Extract of a General letter from the Court of Directors of the 9th May 1838 Para 80 permitting Zemindars or one of the family to Manage Estates as an Ameen in Cases of Temporary attachment.	229
"	Forwarding Extract of a General letter from the Court of Directors of the 9th May 1838 Paras 10 to 12 approving the Settlements of Land & Extra Sources of Revenue for Fusly 1244 as reflecting much credit on the Collector's Management...	233
"	Do .... Do .... Do Para 60 directing that Collectors and other officers in charge of Stamps be held responsible in all Cases of defalcations in that Department	237

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June	3rd	Government orders that maimed & decrepit Military Pensioners be mustered at the usual periods by Tahsildars under the Collectors special authority but that when the European officer is on the Neighbourhood he will perform that duty himself	241.
	"	Notifying the orders of Government on Petition No. 111 of 1839 to be communicated to Muttoowat Kolaly Natchyar Vizt. resolving to recommend to the Court of Directors payment of arrears of Pension from the 22nd March 1830 to 1st January 1836	245
	8th	Calling for reply to the Boards letter of the 14th July 1836 on the subject of reassessment of the Moturpha Revenue and Explanation for delay	253
	"	Register of Petitions for April	257
	10th	Forwarding Petitions bearing Endorsements	261
	13th	Sanctioning disbursement of Rupees 11-1-4 to the Peon Palavasein who attended his duty during the period of his suspension	263
	20	Deeming it unnecessary to bring to the Notice of Government the inaccuracy of the late Principal Collector Mr. Peter of the degrees of relationship of the surviving branches of the family of Meenatchee widow of Murdoo Thervigar of Shevagunga at this distant period but approving of their being themselves informed of it	265
June	20.	Communicating the Endorsement passed on Petition No. 608 of 1839	269
	"	Forwarding Copy of a Minute recorded by the Governor General on the process followed on the upper Provinces of Bengal for assessing and settling the Land Revenue in contrast with that observed on the Ryotwar Districts of the Madras Presidency and calling for information to particular questions in Para 12 of the Minutes in so far as they are applicable to different districts	

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June 24th	Directing Correct returns to be Kept at the custom house to shew the Number of Vessels passing through Paumben and the Number on which anchorage duty is levied together with the amount of Duty to shew the Effect of improving the passage on the General Commerce of the Country	309
"	Forwarding Min: Con: of the 15th June 1839 deferring the survey of the Gulph of Manar until the end of August and Directing every aid to be rendered to Mr. Franklin in the Survey	315
"	Directing as a General Plan that in future Native Revenue Officers included as Defend=ants in Suits brought against Collectors for Acts done in their Official Capacity are to be held blameless and a plea to be added to his answer by the Collector shewing that they acted under the Orders of their Superior	321
27th	Forwarding the Resolution of Government of the 14th June directing the Estates of Ediacottah & Maumbaray to be made over to the respective Proprietors redu=cing the Peshcush of Rupees 7000 for the former and Rupees 1500 for the latter from the Commence=ment of the ensuing fusly (1249) ..	325
July 1st	Accepting the Offers for Renting the duties on Tobacco, Betel and Abkary for fusly 1249	345
"	Notifying publication of a Proclamation in the Boards Office for sale of Land on the 1st August next	349
"	Annexing Para 7 of a letter from the Court of Directors Dated 13th March 1839 directing all entries in any foreign language in the records to be examined and attested by some person conversant with such language	353

July 3rd	From Mr. E. R. Cotton calling for certain accounts of supposed over-assessed Villages in Dindigul & similar accounts of a few of the 52 Villages included in Mr. Peters' Statement of the 22nd of February 1828 as per Forms accompanying	357
4th	Noticing the omission to furnish the Proceedings with an appeal Petition from Teyagaraja Row late Moozoomdar of Oartepanoor in Shevagunga and desiring a Concise report should always be submitted with the Petition of appeal in future	363
"	Forwarding transcript of a letter from the Commissary General of the 25th January with its inclosure and directing a Check in the purchase of Grain and forage on account of Public Cattle as far as they are applicable to this District	367
8th	Sanctioning the Contingent Charges incurred in the 3rd Quarter of Fusly 1248	375
"	Forwarding Digest of the Circular orders of the Sudr Board of Revenue in Bengal	377
"	Do. Minutes of Consultation on the settlement of Fusly 1247	379
9th	Circular from Mr. E. R. Cotton inclosing a Form for accounts of a few Villages which had most decidedly improved in the last ten or fifteen years as well as a few which had decidedly deteriorated	387
15.	Noticing great inequality in the Number of Cases tried under Regulation IX of 1822 apparently proceeding from a difference in the views and principles acted upon in applying [illegible] -ing in future [illegible] should be clear & contain satisfactory grounds	

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grounds for the decision so as to support the Conviction in the event of an appeal being made to the regular tribunals under Clause 2 Section VI Regulation VII of 1828 391

July 22d Calling for a Report on Petition No. 449 of 1839 from Certain Roman Catholic Inhabitants of Ramnad 399

" Sanctioning the Charges for repairing Locks and Keys and amount of fine remitted to the Tamil Gomastu of the Sub Collector's Cutcherry also forwarding an Extract containing Boards remarks & the orders of Government thereon 401

August 5th Forwarding Petitions bearing Endorsements 407

" Directing submission of the original Proceedings in the trial of Teyagaraya Row under Regulation IX of 1822, also observing that their Circular order of the 31st December 1835 directs Collectors to forward the original Proceedings with the appeal Petition and that translation is not required 409

" Calling for a Return of all Schools maintained by aid of Enams Yeomiahs or other assignments of the public Revenue 413

12th Sanctioning the final settlement of the Abkary Betel and Tobacco Farms for fusly 1249 417

" Directing to give Effect to the wishes of Government for reform of the habits of strolling tribes by inducing them to settle and attend to agriculture and other peaceful occupations 419

15th Approving the report made upon Petition No. 449 of 1839 and Communicating the Endorsement passed on it 423

19th Calling for further information on certain Points connected with the settlement of fusly 1246 recorded in the Minutes of Consultation under date the 30th of the preceding Month therein sent- 427

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August	19th	Authorizing Confiscation and Sale of the Smuggled Goods for April May & June 1839	433
	22d	Returning the Tuccavee Estimate for fusly 1249 with the Sanction of Government	435
	26th	Annexing Extract from the Min: of Con: of the 12th August and requiring further Explanation on the Subject of Petition No. 426 of 1839 for Submission to the Governor in Council	441
		Forwarding Letter to the Secretary to Government of the 25th July and the resolution of Government thereon requiring to know what reduction it would be proper to make in the permanent Peshcush of the Hullemunthai Zemindary to inable the proprietor to hold it with benefit	447
	29th	Authorizing Confiscation and Sale of Smuggled Goods for June 1839	455
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		Sanctioning various Disbursements for Davastanoms &ca from the Surplus funds of the respective institutions	461
	3d	Circular from Mr. C. R. Cotton requiring information on the Several Modes of payment of Kists by Ryots	465
	5th	Forwarding Petitions lacking Endorsements	469
	19th	Calling for further information respecting the proposed certain reductions in the assessment of the lands of Vodapetty village in the Dindigul Division	471
	23d	Authority for writing off the wastage of Salt in fusly 1247 amounting to Garces 52. 164	477
		Register of Petitions for July and August	479
	26th	Requiring to know if demands of Quit Rent on houses and lands held under Grants have been regularly levied	485

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October	3d	Forwarding Extract from a Despatch of the Court of Directors and of the orders of Government respecting supplies of Iron work to all public Departments from the Porto Novo Iron works	489
	"	Directing the deaths of Head Sheristadars to be reported at the time of their decease leaving for subsequent arrangements the filling up the Vacancy	493
	"	Requiring more particular information on the Case of Petition No. 748 of 1839	497
	7th	Intimating that the Glossary of Revenue terms sent with Mr. Peter's letter of the 6th February 1826 is not forthcoming in the Board's Office	501
	"	Forwarding Petitions bearing Endorsements	503
	10th	Circular from Mr. C. R. Cotton requiring a Statement of the Cultivation of Enam lands from any period as per Form accompanying	505
	21st	Forwarding Min: of Con: of the 8th Instant Conveying the Sentiments of Government regarding Certain Expressions made use of by the Principal Collector in a letter of the 16th February 1838	509
	"	Transmitting Petition No. 1335 of 1839 presented by 2 persons on behalf of the Ryots of Ramnad for report	513
	"	Do. Copy of Correspondence with Government respecting distraint or sale of property in the Sub Collectorate for the realization of balance due by Ryots for fusly 1246	517
	"	Circular from Mr. C. R. Cotton requiring information of the effeciency of the several Establishments to secure the interest of Government, and if the periods for the Kists is well chosen	525
	"	Calling for Certain Statements in the Native language with the usual Jummabundy Accounts and Enclosing a Form	520

October	24th	Sanctioning the District Sayer Establishment for July 1247 and Charges for Cholera pills	533.
	"	Authorizing Confiscation and Sale of Smuggled Goods for July	539
	28th	Forwarding a Despatch from the Honorable the Secret Committee Prohibiting the Communication of Certain functionaries in the service of India with private friends in England & transmitting their Official Correspondence	541
	28th	Forwarding Copy of Paras 15 & 16 from a letter from the Court of Directors of the 11th July 1838 directing the Collection of the Moturpha tax be not reenforced in the Madura District until the decision of the Supreme Government on the question of the abolition of the Sayer duties ..	549
	"	Forwarding Paras 18 & 19 from Do. Do. respecting the final adjustment of the accounts of the defalcation of the Madura Treasury and release of Becaryee Row from surveillance ..	557
	"	Do. Para 36 from Do. Do. directing Collectors be held responsible for loss of Stamps and Empowering them to require Security from all Darogahs and Venders and others Employed in the disposal of Stampt Paper ...	561
	"	Do. Para 39 from Do. Do. directing strict observance of punctuality in the payment of Quit Rent on Shotrium	565
	"	Do. Para 64 from Do. Do. approving the Measures adopted in apprehending and bringing to punishment the parties Concerned in the Boundary disputes on the borders of Madura and Tinnevelly	569
		Do. Para 70 from Do. Do. Entirely approving the Grant of remission of Moturpha Tax both prospectively and retrospectively from the permanent peshcush of the Shevagunga Zemindary ..	573

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November	7th	Sanctioning Contingent Charges incurred in the 4th Quarter of fusly 1248 and Actual Charges of the Establishment Employed in Shevagunga for fusly 1247	577
	11th	Do. Extra Tent allowance drawn by the Principal Collector and Subordinates during the fusly 1248	583
	18th	Directing the regulated Commission leviable on the Sale of property within Zemindaries in possession of the proprietors under the provisions of Act VII of 1839 be placed to the Credit of Government in the public Treasury	585
	21st	Forwarding Copy of a letter to the Chief Secretary to Government and Minutes of Consultation authorizing assumption of the Zemindary of Hullemunthai for 3 Years to ascertain the Correctness of the Peshcush proposed to be reduced by the Mootadar ...	589
Decr.	5th	Modifying the Collector's decision in the Case of Teagaraja Row Appellant and others reducing the amount of fine in each Case to one half as well as the period of imprisonment in Commutation and returning the Appellants Petition with Endorsement	597
	9th	Forwarding Copy of Para 12 of a letter from the Court of Directors and of the Resolution of Government respecting the loss of an irrecoverable balance of Tuccavee advanced to an individual in Madura	609
	"	Calling for report on the success attending the introduction of the Porto novo Ploughs	613
		Forwarding Copy of Para 14 of a letter	

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on Account of Adverse Seasons .. 629

Decr. 9 Forwarding Petitions bearing Endorsements .. 633

12 Forwarding Copy of a letter from the Medical Board, directing the Medical Subordinates attached to Collector's and Sub Collector's to have the Art of vaccination with a view to their disseminating it's benefits .. 635

16 Requesting return of a document sent by Mistake with the Papers of Teagaraja Row's Appeal Case 641

19 Calling for sentiments as to a proposed Modification in the Sea Custom Tariff of Malabar 645

23 Communicating for information of the Offices of Auditors the Government Orders of the 13th August 1839 Confirming division Order to Mr. Assistant Surgeon Purvis to relieve Mr. Kellie from charge of the Zillah of Madura .. 653

Approving the Explanation afforded by the Principal Collector upon the Allegations Comprized in Petition No. 1335 of 1839 and returning it with their Endorsement together with two subsequent Petitions received on the same subject 657

Requiring a List of Original Maps and Surveys with the Memoirs relating thereto as per Form annexed 663

Revenue Department

No. 487

To the Chief Secretary to Government

Sir,

Para 1. In the orders of Government conveyed in the Extract from the Minutes of Consultation of the 19th March last No. 457 the Right Honorable the Governor in Council in sanctioning certain grants of land proposed to be assigned to Village Officers in Madura was pleased to withhold authority for granting new maunioms in certain cases suggested by the Principal Collector until

until farther information on their extent and necessity was furnished by the local Officers.-

2. With reference to these orders several communications have passed with the Principal Collector and the Board, which it is not thought necessary to advert to, but it will be seen from the letter now submitted that Mr Blackburne 10th Octr 1838 has departed from his former recommendation and confines his application for the grants of land entered in the statement which accompanies his letter to two Cavilgars in the Village of Andepatty.

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And deputty whose appointment he considers necessary for the reasons assigned in the letter now forwarded, and which the Board trust under the circumstances represented will be sanctioned by Government.-

Revenue B^d. Office, Fort S^t. George, 2th. November, 1838 } (Signed) P. B. Smallett Acting Sec^y.

Extract from the Minutes of Consultation dated 20th. December, 1838.-

The Right Honorable the Governor in Council authorizes grants of land to the extent recom-mended by the Principal Collector of Madura to the two Cavilgars proposed to be entertained in the village

Village of Andepputty amounting according to the statement which accompanied that officer's communication to Cawnies 26 - 10½ assessed at Rupees (50-14-7) Fifty, Annas fourteen and Pice seven.-

(Signed) H. Chamier
Chief Secy

Extract from the Proceedings of the Board of Revenue dated 3d January 1839.-

Ordered that the foregoing order of Government with copy of the letter to the Chief Secretary under date the 12th November be furnished to the Principal Collector of Madura for his information with reference to his letter of the 10th October last.-

(A true Extract)

[signature]
Secretary-

Despd 21st Jany 1839
Compd H Lambert

Recd 27th J.B.

Revenue Department.

R.

Extract from the Proceedings of the Board of Revenue dated 21st January 1839.

Read the following letter from the Principal Collector of Madura dated 5th January, 1839.

(Here enter No. 2)

The Petitioner Vyapa Reddy would appear from the statement of the incumbents of the Office contained in the decision of the Principal Collector, to have been one of the Natamgars of the Village in Fusly 1212 and in several subsequent years, and to possess as good a claim on the score of inheritance as

as the individuals now holding the Office - There is nothing also in the causes which led to his dismissal in Fusly 1238, as explained in the Principal Collector's letter of the 5th Instant, which the Board think should preclude his re-employ=ment - As, however, it is stated that the 2 persons now in Office are sufficient for the performance of the duty, and that the emoluments attached thereto, are not adequate to the remuneration of a greater number, they will not direct his re-appointment at present, but

the

31

the Principal Collector will be pleased to bear in mind, that if competent in other respects, he is not to be considered as ineligible for appointment on the occurrence of a future opportunity on account of his dismissal in Fusly 1238.-

(A true Extract)

Recd. 3d Feby JB

[signature]
Secretary.-

Despd. 30 Jany. 1839
Compd. [signature]

33

Revenue Department.

2

To

The COLLECTOR of

Madura.

Sir,

I am directed by the Board of Revenue, with reference to their Circular orders dated 13th July 1826, to transmit for your information, an Extract from the Register of Petitions for the month of November & Decr last.

I have the honor to be,

Sir,

Your most obedient Servant,

R. Tailer

Sub. Secretary.

Revenue Board Office,
Fort St. George,
24 January 1839.

Desp. 2 Feb.
Recd 5th do.

Madura.

Extract from the Register of Petitions for the month of November 1838.

No.	Name of Petitioner	Purport of the Petitions	Orders of the Board
1193	From Yelluppah Naicken first Wife's son of Vencaty Naicken alias Varalo Naicken the late Nattamigar of Natcheyputty subject to the Talook of Maroongapoory in the Zillah of Madura.	Prays for 1/6 share of the Nattamy Meerassy of Matcheyputty and to perform the separate office of Nattamigar.	Referred for the further consideration of the Principal Collector of Madura, if he should deem it necessary to reconsider Petitioner's claims. 29th November 1838.

(A true Extract)

R. D. Parker
Sub Secretary

Recd 6 Feby 1839 JB

27

37

Madura.

Extract from the Register of Petitions for the Month of December 1838.

No.	Name of the Petitioner.	Purport of the Petition.	Order of the Board.
977 / 1838	From Alaguppen cultivating inhabitant of Ambooleekay in Pareacottah Mooltah subject to the Talook of Iyempooly in the Zillah of Madura.	States that the Tahsildar had exacted Rs. 62 on Pretence of his lands being Meerassy subsequently proved to be ain lands and prays for the recovery of the said amount.	The Principal Collector of Madura will be pleased to enquire into and dispose of this Petition, noting by endorsement the orders passed thereon. 24. December 1838.

(True Extract)

R D Parker
Sub Secretary.

Recd. 6 Feby 1839 JB

R

Circular

To the Principal Collector of

Madura

Sir,

Para 1 With reference to my letters to you of the 28th of August and 25th of October last I have the honor to request you to furnish me with further information on the following points.-

2. Has the price (received by ryots paying revenue to Government) of rice and other grains during the last 8 or 10 years, been greater or less than the commutation price

price on which the existing settle-
-ments in different parts of your
District were formed? I shall be
greatly obliged by your forwarding
to me comparative statements
containing this information.-

3 I shall also be obliged
to you to inform me to what extent
and on what terms the system of
under-renting assessed land exists
in your District and whether it
is extending or the reverse- Any
statement which you can forward
to me shewing the rates of private
rent comparatively with the rates
of Government assessment on the
same

same or adjoining (if Enam) Lands
I shall be glad to receive, shew-
ing also the number of years'
purchase of the <u>net</u> rent at which
such lands may be considered
saleable.-

4 What was and what
is now the most general mode of
laying out capital accumulated
in trade or in any other way amongst
the Inhabitants of your District,
and for what reasons?

5 What is the actual
cost of conveyance of 1 Ton of
Goods 100 miles by Coolies, by
Bullocks by Bandies and by

Boats

Boats where such are used. –

I have the honor to be,

Fort St. George,
24th January 1839.
Rd. 30th J.B.

Sir

Your most Obedient Servant

CMotton

Revenue Department

To,

The Principal Collector of

Madura.

Sir,

I am directed by the Board of Revenue to forward accompanying Petition from Soobramania Sastry a resident of Kutchakotty in your District,

No. 1095 of 1838

and to state, that if you are satisfied that the land (13/8 cawny) now claimed by the Petitioner forms part of that of which he was rightfully in possession previous to Fusly 1231, they

they authorize you to restore it

to him; The circumstance of

the Petitioner having improved

the land can be no bar to

his being put in possession

Rec. Bd. Office, } I have the honor to be,
Fort St. George, } Sir,
11th February 1839 } Your most Obedient Servant

Desp. 15 Do
Recd 18th

Lolek

Secretary

Compd. Dick Lambert

Answered 11th March

61

45

Circular

12

To

The Principal Collector of

Madura.

Sir,

Para 1 Being ordered by Government to review the Revenue Charges under the Madras Presidency I have the honor to request you to inform me whether present circumstances will admit of any reduction in the Establishments under your authority or of any changes which may gradually tend to that object.

I shall

2 I shall be obliged to you to forward to me at your earliest convenience a List of all Ledgers, Returns, statements and accounts which are prepared in the English or the Native languages and periodically forwarded from your Office to the Board of Revenue, Accountant General, Civil Auditor or any other Office under Government.-

3 There being reason to believe that much time and labour is thrown away in the preparation of such returns for the several Offices at the Presidency, your opinion is particularly requested

on

47

on the possibility of simplifying the accounts and reducing their number, and any suggestions which you can offer with this object will be of material assistance to me.—

4 Some accounts being prepared for the fusly year and some for the Official and Calendar year and transmitted to more than one Office at the Presidency appears objectionable and super=fluous, and there is probably no circumstance connected with the districts which renders the conti=nuance necessary, but I shall be

be much obliged to you for your opinion on the subject.—

5 I beg of you also to state whether you are aware of any objection to the entire disuse of the Marattah language both in accounts and correspondence in conducting the Revenue business of this Government.—

6 When your attention is directed to the above points the propriety of simplifying or amending the present form of accounts prepared in the Village, Talook or Huzzoor Cutcherries and Treasuries, and of removing the necessity of copying and translating

them

them, may probably occur to you as a means of further reducing the duties now required to be performed in the Subordinate Revenue Offices under this Presidency and I shall be obliged to you for any suggestion which you may think proper to offer, applicable to your own district or to all other Collectorates under this Government.—

I have the honor to be,
Sir,
Your most obedt. Servt.
[illegible signature]

Fort St. George,
4th. March, 1839.—
Despd 8 Do.
Recd 11th D

Revenue Department

To

The Principal Collector of
Madura.

Sir,

I am directed by the Board of Revenue to transmit

Bd. No. 8 of 1839
Govt. No. 11 "

the accompanying Petition from Moottoovarcoolaly Nanchear, Widow of M. Ramasawmy Thaver, and request you will have the goodness to state whether any change in the circumstances of the Petitioner has occurred to render it desirable that her allowance should be increased to the amount enjoyed by her

husband

husband, Viz^t. Rupees 100. —

Revenue B^d. Office, } I have the honor to be,
Fort S^t. George, } Sir,
11th March, 1839 } your most obedient Servant,
Desp^d 13 D^o.
Rec^d 16th [illegible]

[signature]

Secretary

Comp^d. [illegible]

Revenue Department.

To

The COLLECTOR of Madura.

Sir,

I am directed by the Board of Revenue, with reference to their Circular orders dated 13th July 1826, to transmit for your information, an Extract from the Register of Petitions for the months of January & Feby last.

I have the honor to be,

Sir,

Your most obedient Servant,

[signature]

Sub Secretary.

Revenue Board Office,
Fort St. George,
25 March 1839.
Desp 3 April Do
Recd 6th Do

Madura

Extract from the Register of Petitions for the Month of January 1839

No.	Name of Petitioner	Purport of the Petitions	Orders of the Board
1089 of 1538	From Auchaloo Naick cultivating inhabitant of Vadamadura subject to the Talook of Tanidecomboo in the Zillah of Madura	Complains of frauds committed by the Curnums of the Village and of the collusion of the Tahsildar in preventing all enquiry into the same	The Principal Collector of Madura will be pleased to enquire into the statement of the Petitioner and pass such orders as may appear requisite 3d January 1839. (A true Extract) A. D. Parker Sub Secretary

Recd 6 April 39

+?

57

Madura.

Extract from the Register of Petitions for the Month of February 1839.

No.	Names of the Petitioners.	Purport of the Petitions.	Orders of the Board
81 of 1839.	From Shevagherry Goodoomben son of Curpah Coodoombeu Maday Meerassidar of Vellancoolum Village in Teroomungalum Talook in the Zillah of Madura.	Complains of having been unjustly dismissed from his Meerassy office by the Nattamigar and prays for enquiry and redress.	The Principal Collector of Madura will be pleased to enquire into the subject of this Petition and note by endorsement the orders he may think necessary to pass. 28 February 1839.
53 "	From Swaminatha Moneya-gar a pensioned Sepoy residing in Wondipoly Naicka Nullore subject to the Talook of Teroo-mungalum in the Zillah of Madura.	States that a Maniem which was granted by the Nabob in 1680 to Petitioners grand father in lieu of his Polliaput has been retained under Aumany. Prays for its res-toration it having been in possession of his ancestors to fusly 1212.	The Principal Collector of Madura will be pleased to report upon the claims advanced by the Petitioner in this address. 28 February 1839.

1639 / 1839 } From Mottia Pillay Meerasy Nattamigar of Selvimputty subject to the Talook of Tencarray in the Zillah of Madura.	Complains of unjust dismissal from his Nattamy office and prays for enquiry: stating further the misconduct of the two Nattam-kars in concealing certain lands which he offers to prove.	The Principal Collector of Madura will be pleased to report upon the subject of this Petition - 28 February 1839.

(True Extract)

H. D. Parker

Sub Secretary.

Recd 6th April 39

Answered 5 April

55

R

To the Principal Collector of

Madura

Sir,

The Answers with which I have been favored respecting the Increase and Decrease of Cultivation and Revenue from some Collectorates oblige me to trouble you again for information and I have the honor to forward the Form of a Statement which I shall be greatly obliged by your allowing me to be furnished from your Cutcherry in that Language which will cause the least trouble. –

Any

Any remarks which you will have the kindness to make in explanation of the causes of any Increase or Decrease which may be observed in particular kinds of land under various rates of assessment or descriptions of tenure and settlement, will add greatly to the value of the statement.—

Fort St George, 27th March 1839.

Recd 2 Apl

I have the honor to be,
Sir,
Your most obedient servant
C M Aton

Extract from the Proceedings of the Board of Revenue dated 11th April 1839

Read the following

Extract from the Minutes of Consultation.

Transmitting for the Boards information and guidance and that of the several Collectors in the Provinces Copy of a Despatch addressed by the Honorable Court of Directors to the Government of Bombay reporting the result of the appeal to the Queen in Council in the Case of Mills, Collector of Kaira. Appellant, Versus Pestonjee Khoorsedjee Respondent. —

[Here enter 19th March 1839 No. 255]

Judicial

Judicial Department

No. 7 of 1838.

Our Governor General of India
in
Council

We transmit for your information copy of a Despatch which we have addressed to the Governor in Council of Bombay reporting the result of the appeal to the Queen in Council in the case of "Mills, Collector of Kaira, Appellant, versus Pestonjee Khoorsedjee Respondent", and we desire to call your particular attention to the report by Mr. Sergeant Spankie (which forms one of the enclosures to that Despatch) on

on the imperfect manner in which the case was prepared by the public Officers at that Presidency with the view of guarding against a similar occurrence in future.

We are

Your affectionate friends

London,
5th September 1838. } (Signed) J. L. Lushington &ca. &ca.

Judicial Department

No. 7 of 1838.

Our Governor in Council
at Bombay

1 We transmit to you the accompanying Copies of Letters from the Company's Solicitor with Copies of their Enclosures from which you will learn that the

Queen

Queen in Council has dismissed
the appeal in the Rawley Case
with Costs. We desire that Mr
Serjeant Spankie's observations
on the cause to which this result
is to be attributed may be referred
to the Judges of the Sudr Adawlut
with instructions to take into con
sideration what measures may
be best adapted to guard against
the mismanagement of cases in which
the Company's interests are concerned.
It may also be desirable that you
should consult the Revenue Commis
sioner and the Advocate General on
the same subject.

2 You will observe
that in Mr Serjeant Spankie's
opinion

opinion the Rowly case has been
decided on its own particular cir-
cumstances and that therefore it can
form no precedent to rule any other.

London,
5th September 1838

We are
Your loving Friends
(Signed) S. L. Lushington

Draper's Hall
12th June 1838

Copy Letter from
Mr. Lumforsd to
Mr. David Hill,
12th June 1838

Sir,

I have the honor to ac-
-quaint you that having attentively
considered the letter addressed by
the Bombay Government to the
Honorable Court under date the
28th February last on the subject of
the

the appeal in the Rowley case with which that Government trans-mits the Copy of a letter from the Revenue Commissioner dated the 8th December last professing to point out that in the printed proceedings respecting that appeal "many points in favor of Govern-ment have not been noticed." I felt it my Duty to lay the Govern-ment Letter with its Enclosures before Mr. Serjeant Spankie whose report upon it embracing a review of the whole case I have the honor to send herewith. The case has been long ready for hearing before the Privy Council and I last night received notice that the Lords

Lords of the Judicial Committee have appointed Tuesday next the 19th Instant for the argument.

I am, Sir

Your Most Obedt. Servant

(Signed) Edward Lawford

David Hill Esqr.

Copy opinion of Mr. Serjeant Spankie enclosed in the foregoing letter.

I have perused the letter of the Governor in Council of Bombay to the Court of Directors dated 28th February 1838 and the documents which accompany it. These documents with the exception of one or two are printed in the Appendix to the case in this Appeal.

The Governor in Council appears to be misinformed as to the situation

situation of this appeal and the manner in which it must be presented to the Privy Council, and the error must have originated with Mr. Williamson the Revenue Commissioner upon whose letter of 8th December 1837 the dispatch of the Governor in Council is founded - the anxiety which is felt at Bombay respecting this case and the misapprehension which exists on the subject render it incumbent on me to state how the matter stands.-

The document of the defects and omissions in which Mr. Williamson complains is the joint appendix to the appeal

Cases

Cases which nevertheless contains the whole of the evidence transmitted from Bombay in the transcript of the proceedings in the Courts below. Nothing has been omitted.

It is unnecessary to remind those in the least acquainted with Judicial matters that a Court of Appeal can only take notice of the cause as it stands upon the record and that it is not permitted to parties and their Counsel to introduce into their cases any evidence which ought to have been regularly brought forward while the cause was in progress.

Indeed the great difficulty with which the Counsel in this cause have to contend is the omission

below

below to prove several material facts which it is believed might have been established by clear proof and of which no sufficient proof has been given. The testimony of Mr. Elphinstone and of Colonel Robertson would have been of the most decisive authority and the omission of it is wholly unexplained. In fact no parol testimony whatever was adduced by the Agents of Government the Defendants below.

The principal questions in the cause as appearing on the record and elaborately argued are whether the resumption or sequestration in 1814/15 of the Village of Rowli granted in Enam in 1803

to

to one Modee Pestonjee through
whom the Respondent claims was
made by Trimbuckjee Dinglia
with due authority and as a
Public Act –

Trimbuckjee was in 1814/15
principal Minister of the Peishwah
He was also Mamlutdar of
Ahmedabad in which Rowlij is
situated and it was farther con
tended by the Appellant (Mr Mills)
on behalf of Government that
Trimbuckjee had the Mootallikee
seal or at least was Sursoobah
and in either capacity was
competent to resume. –

It is observed by the
Governor in Council "It would be
"as absurd in this Country to adduce
proof

"proof to shew that Trimbuckjee was
"Bajee Row's Dewan or Prime
"Minister that he was defacto Sur-
"Subah of Government and that in
"both capacities he was competent
"to resume the Village, as it would
"be in England to prove who was
"Prince Regent in the reign of
"George III or that he had power
"to make war or peace, as both
"are facts respectively well known
"to every tolerably educated Hindoo
"or Englishman and would be
"taken for granted in a local Court
"of Law but may still require proof when
"a person born and educated in the one
"is called upon to form a judgment
"in a case regarding the other Country" —

Unfortunately

Appendix 162. Unfortunately the Judge of the Zillah Court of Ahmedabad Mr. Edward Grant the Senior Judge of the Sudr Dewanny Adawlut at Bombay Mr. Ironside in a separate judgment and the full Sudder Court in their final decree, undoubtedly Judges in local Courts determine that there was no proof that Trimbuckjee had authority to resume — It was therefore matter of proof in the local Courts of law and those Courts decided that the Agents of Government had not given such proof. —

Appendix 157 The Judge of the Zillah Court says — "and because the "Collector (Mr. Mills) has every way

"way failed to prove that Trim-
"bu-
-buckjee Danglia was the Sur
"Soobah of the Ahmedabad terri-
-tory or that he held the Inoota-
-likee seal the Court considers
"that Trimbuckjee Danglia seized
"possession of the Village of
"Rowlij during the time that he
"held the farm of Ahmedabad
"in consequence of a private claim.
"But Trimbuckjee Danglia
"had not sufficient authority
or the possession of the Mootali-
-kee Seal whereby he could attach
"and possess himself of Enom
"Villages of this discription or
"without the Peshwas orders—"
again "But the Court is of
opinion

"opinion that Trimbuckjee had not
"the authority prescribed by the
"Regulation (17 of 1827 Clause
"4 Section 35 referred to.) Neither
"has the Collector (Mr Mills the
"Appellant) proved in the slightest
"degree that Trimbuckjee at the time
"that he had the farm of Ahme:
"dabad by the possession of
"this authority had with it either
"the Mootalikee Seal or the rank
"of Sursoobuh in the Territory
"of Ahmedabad."

It is quite clear that the authority of Trimbuckjee was considered one of the chief points in the cause, those who managed it thought so as well as the Zillah Judge, for an attempt was

was made by the evidence of
Mr Dunlop one of the Plaintiff's Appendix 125
witnesses on cross examination " — 127
for the Defendant (Mr Mills) " — 127
to establish Trimbuckjee's autho-
rity to resume. Mr Dunlop
was Agent in the Deccan
Mr Dunlop as far as his evi-
dence goes disproved the autho-
rity of Trimbuckjee as Sir Soobah.
"He was merely Mamlutdar
"of Ahmedabad." He proved that
"no order could be found in
"the Peishwa's Records either
"for the sequestration or the
"restoration," and indeed no written 127
order to sequestrate or resume
was found anywhere. After such
a specimen of the evidence in

of

of a Government Officer who might have been able to prove the true nature of Trimbuckjee's authority it became the duty of the Managers of the Suit to adduce the best evidence to shew that the sequestration or resumption was done not only by due authority but in a due manner yet no evidence of the kind was given by Public documents or by the examination of Mr. Elphinstone or Colonel Robertson or any other intelligent witness to explain the authority of Trimbuckjee, nor was any written document, regular or irregular, of a provincial or local character, or emanating from the Peishwah's public

public Officers at Poona to shew that the resumption right or wrong was adopted on any avowed public ground; produced all these circumstances and many others are noticed in the decree of the Zillah Judge The defects of the defence if such they be were clearly pointed out and on the appeal to the Sudder it was competent to supply them. -

Even the important fact of how the proceeds of the Vil-lage were brought to account un-der the Peishwah's Government till it's overthrow is left very unsatisfactory There is much evidence some under Mr Elphinstone's au-thority adduced by the Respondent Appendix 204 p. 5

to

to shew that the resumption was merely a suspension of the enjoy-ment during a claim of adverse Competitors in the family. This is much confirmed by a report of the Agent of Sirdars. This re-

Appendix 204-5 p 7

-port coming from an Officer of the British Government at Poonah goes completely to negative Trim-buckjee's having authority to resume and to nullify his Act. after the cause had been litigated on these grounds and when the Zillah Judge had so clearly proceeded on Trimbuckjee's want of authority and the now appro-bation of the proceeds of the Village to Government use the attention of the Managers of

of the cause was drawn to the necessity of additional evidence to establish the resumption as a public act by explaining Trimbuckjee's public character and by shewing in aid of other proof that the Revenues of the Village were during the Peishwah's rule from 1814-15 to 1818 brought to public Account. The latter point is not made out as it might and ought to have been. There is much evidence on the other side to shew that it was a mere Suspended Account.

I do not mention these prominent defects in the state of the cause as it appears

87

appears on the record (to which Counsel are confined) with any intention of censuring the Gentlemen by whom the defence was conducted. They had no experience of Judicial proceedings and necessarily left the cause to the Native Vakeels who could not well appreciate the evidence which the case required or the distinction between common fame or notoriety and legal proof. —

Appendix 146. 161 The judgment of Mr Grant the Zillah Judge enters so fully into the case that it deserved attention from the very circumstance that it so fully disclosed the weak and defective points

points of the Defendant's case when there was yet time to give proof and explanation.—

I should beg leave to suggest however that in cases in the Country Courts in which the Government is interested it may be advisable that the proceedings should be superintended by the Company's Law Officers, who know what evidence will be expected by a Court of Appeal in England.—

There are points in this case which on strict legal grounds may perhaps admit of a decision in favor of the Appellant the Government

and of these the Counsel will zealously and industriously avail themselves. It is evident however that the Bombay Government wished to contest the matter on unqualified power of resumption of Enams, a delicate question and to be maintained only in a case quite free from incidental doubts and difficulties.

Appendix 95

If the Privy Council shall be unfavorable on the legal points and consider the Defendants case below unsatisfactorily stated or proved it may be advisable to try whether the cause can be remitted to take further evidence. It unfortunately happens however

that

that the evidence is defective on points where it is impossible to say the Defendants the Appellants were taken by surprise - The authority of Trimbuckjee and whether the resumption was a public act was the question and I doubt whether the Court will afford an opportunity to supply defects which legally must be imputed to the ignorance or the negligence of the party who seeks now to do what he should have done before. -

I am very sensible of the importance of the general question which Government wished to maintain, but I do not think that the

the decision of this case de-
-pending as it does upon
its special circumstances can
establish any principle by
which the general power of
resumption will be legally
defined - In truth it is rather
a question of fact whether there
was a resumption by public
authority or not - It will
be satisfactory I apprehend to
the Bombay Government to
know that even from the very
imperfections of the state of
the cause on the Record which
on other grounds are subjects
of regret it is impossible that
any injurious or dangerous
precedent can be introduced
by

by the decision.—

(Signed) R. Spankie
Serjeants Inn. 9 June 1838.—

Drapers Hall
4th July 1838.—

Copy letter from Mr Lawford to Mr David Hill, 4 July 1838

Sir,

Adverting to the communication with which I troubled you on the 12th Ultimo of Mr Serjeant Spankie's opinion upon the letter from the Bombay Government of the 28th February last on the subject of an appeal to Her Majesty in Council in the Rawlij case, I have the honor to inform you that that case having been appointed to be heard before the Lords of the Judicial

Judicial Committee on Friday the 22nd June the arguments of Counsel occupied the whole of that and of the following day and of Tuesday the 26 Ultimo, when their Lordships took time to con-sider their judgment which was delivered yesterday by Mr. Justice Bosanquet, when the Decree of the Sudder Dewany Adawlut was affirmed with costs to be paid by the Appellant the Collector of Kaira.-

I send herewith a Copy of the judgment, and I shall be able very shortly to furnish you with the notes of the argument.-

As Mr. Serjeant Spankie in his various opinions and especially

in

in the last which I transmitted
to you has entered at great length
into the case and has pointed
out its difficulties and the defects
from which he anticipated
this result, it is not necessary
that I should trouble the Com=
=mittee at any length upon
the subject, and the more so
as I believe that it is the inten-
=tion of the Serjeant to make
some further observations upon
the case and upon the judg-
=ment in which I know that he
Concurs, but as the Government
of Bombay have taken great
interest in it and have attached
a degree of importance to it to
which the Serjeant has I think

shown

87

shown it was not entitled so far as it can be considered as a precedent or as affecting any other cases. I submit that it will be desirable to take an early opportunity of communicating fully with the Bombay Government upon it.

I am Sir,

Your Most Obedient Servant

(Signed) Edward Lawford

David Hill Esqre.

Draper's Hall.
7th August. 1838.

Copy letter from Mr. Lawford to Mr. David Hill, 7th August 1838.

Sir,

In reference to my letter of the 4th. Ultimo communicating the judgment pronounced by the Lords of the Judicial Committee on the Appeal

in

in the Rawlij case, I have now the honor to transmit herewith Her Majesty's order in Council approving and confirming the judgment of the Lords of the Judicial Committee, which I submit should be forwarded to Bombay.

I have also the honor to send you some further observations by Mr. Serjeant Spankie on the subject of this appeal, to which I would beg to suggest that attention should be drawn in framing the communication which will be made upon the subject to the Bombay Government.

I am, Sir,

Your most obedient Servant

(Signed) Edward Lawford

David Hill Esqre

Mills

Mills, Collector of Kaira Appellant
Vs
Moodee Pestonjee Ronsedgee - Respondent.

Copy opinion of Mr Serjeant Spankie enclosed in Mr Lawford's letter of 7 August, 1838

With reference to my opinion on the state of this appeal dated June ultimo I beg leave to call the attention of the Court of Directors to the decision on 2d instant of the Judicial Committee of the Privy Council against the Appellant, a result which from the beginning I anticipated, and I am convinced that if the Government of Bombay had been aware of the real position of the case as it appeared upon

the

the record transmitted (on which alone it could be dealt with here) they would not have recom=mended the appeal at all.-

The judgment of the Court was delivered by Mr. Justice Bosanquet and fully ex=plains the principles of the deci=sion.-

It is perfectly clear indeed that by the form of the pleadings and according to the Bombay Regulations applica=ble to that subject the Defend=ant below Mr Mills was pre=cluded from raising the questions ulti=timately attempted to be brought for=ward as to the title as heir of the Claimant

claimant Pestoonjee and the limitation of time as a bar to the suit. Indeed it is clear to me [as it appeared to be to the Court] that the Govern-ment did not mean to defend the cause on any other ground than the resumption by Trimbuckjee while Mamlutdar of Ahmedabad [where the Village in dispute was situated] being at the time Mi-nister of the Peishwah. I have already pointed out not only the total absence of legal proof of Trimbuckjee having in an autho-rized character and as a public act made the resumption, but the evidence to the contrary advanced by the claimant, particularly that of Mr Dunlop, who

if

of wrong should have been set right as his testimony naturally carried the greatest weight. -

It had occurred to Mr Lawford that as it was competent to the Privy Council to direct new evidence to be taken on this head which was so defective on the part of the Defendant below [the Appellant here;] it might be desirable to make an attempt to induce their Lordships to issue an order for that purpose, - a petition was prepared accordingly praying the Council to adopt that course - Besides however the doubt entertained whether the Privy Council would

would do so in a case where the party seeking this indulgence had neglected in the proper stage to give the evidence so plainly incumbent upon him regarding a point which was almost the only issue in the cause it appeared upon enquiry much more than questi-onable whether legal evidence of the necessary facts could be given by the Gentlemen now here whom it was thought desirable to examine – The Petition therefore was not presented.–

Much useful information however though not in the shape of legal evidence was obtained.– There is sufficient reason therefore to believe that Trimbuckjee's act

was

was in truth the act of the Peish-
wah but adopted on grounds
of which not the most remote
hint is given in the proceed-
-ings in the cause and probably
they were unknown to the conduct-
-ors of the suit in the Courts
below. why the official records
of the Peishwah's Government
furnished no account of the
resumption which there is good
ground to believe must once
have existed there was not suf-
-ficiently explained. and it does
not even appear that the regular
and necessary enquiries regard-
-ing this matter were made on the
part

part of the Defendant below,
and this was the more injurious
as Government must be presumed
to have had access to every source
of information.

The incurably defective
state of the case on the part
of Government thus appearing
on the face of the Record trans-
-mitted from the Court below
was a source of much vexation
to all the Counsel for the Appel-
-lant. This defect must no doubt
be imputed to the unskilfulness
of the native Vakeels, who seem
to have been wholly ignorant
what evidence it was necessary
for them to produce and who

therefore

was in truth the act of the Peish-
wah but adopted on grounds
of which not the most remote
hint is given in the proceed-
-ings in the cause and probably
they were unknown to the conduct-
-ors of the suit in the Courts
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have existed there was not suf-
-ficiently explained. and it does
not even appear that the regular
and necessary enquiries regard-
-ing this matter were made on the
part

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of information. –

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state of the case on the part
of Government thus appearing
on the face of the Record trans-
-mitted from the Court below
was a source of much vexation
to all the Counsel for the Appel-
-lant. This defect must no doubt
be imputed to the unskilfulness
of the native Vakeels, who seem
to have been wholly ignorant
what evidence it was necessary
for them to produce and who

therefore

therefore omitted to give it, and the interrogatories administered on cross examination to the claim-ants witnesses [for they adduced none for the Defendant below] were framed without skill or judgment.—

I have already stated that the decision in this case proceeding as it does on its par-ticular circumstances can form no precedent to rule any other.—

If any case should arise which may be calculated to establish a general and important principle as to the right of resump-tion and which may be likely to be appealed to this Country the experience of the present cause

enforces

enforces the necessity of seeking better legal conduct of the proceedings than that of the Native Vakeels. It must always be subject of regret to the East India Company and it is to myself personally the source of much mortification, when they appear in Courts of Justice as unsuccessful litigants particularly when, as in this case, there is no reason to find fault with the concurring decisions which have been pronounced on the merits as they were presented to the different Courts.

(Signed) R. Spankie

Serjeants Inn. 12th July, 1838.

(True Copies)

(Signed) J. P. Grant

Offg. Secy. to the Govt. of India

(True Copies)

(Signed) Hy. Chamier

Chief Secretary

Ordered

58

Ordered that a transcript of the Enclosure to the foregoing communication be circulated to all Collectors of Land Revenue for their information and guidance.—

(A true Extract)

Recd 20th May 1793

[illegible]

Secretary.—

Desp 17th May 1799
Compd [illegible]

(Answered 11th June) 159

101

To the Principal Collector
of Madura R.

I have the honor to acknowledge the receipt of your letter of the 5th inst.

I regret very much the trouble that my requisitions necessarily cause but I hope you will furnish me with such accounts as you may be best able to frame, of such parts of your District as you may consider most likely to afford general informa.

tion as to the result of money settlements & of the high & low rates of assessment on the increase or decrease of cultivation & Revenue.

Your explanation of the actual results of the various settlements existing (comparatively with one another) in the Madura Dindigul & the Zemindary Division of your District, on the state of landed property & on the circumstances & condition of

181

103

the owners & cultivators will be of great assistance to me in my enquiries

I have the honor
& be Sir
Yr most obt servt
Crighton

Fort St. George
11 Apl 1804

Revenue Departm

Extract from the Proceedings of the Boa
of Revenue dated 15th April 1839.

Read the following le
from the Principal Collector of Mad
dated 5th April 1839. -

(Here enter No. 24)

Ordered that the foll
Endorsement be passed upon Petitio
No. 263 of 1839 and that the same
be returned for delivery to the
party concerned thro' the Channel of
the Principal Collector of Madur

"The Board of Revenue
having referred to the Principal

the explanation afforded by that Officer of the causes which led to the removal of Petitioner from Office, to approve of the act of the Collector and to reject this Petition. –

(A true Extract)

[illegible]
Secretary

Dep^d 18th April 1839
Comp^d [illegible]
Rec^d 21st JB

(10)

Revenue Department

No.

Extract from the Proceedings of the Board of Revenue dated 29th April 1839.

Read report from the

August 1838. Principal Collector of Madura on the Settlement of the Revenues of Madura and Dindigul for Fusly 1247.

(Here enter)

Para 1 The early part of Fusly 1247 appears to have been very unfavorable, and following so immediately upon the disastrous season of 1246 the people suffered severe distress from the high price of Grain - this was in some degree relieved by the rain which fell at the end

end of October and during November which had the effect of lowering the prices and enabling the Ryots to proceed with their Nunjah Cultivation. "Paddy," Mr Blackburne observes, "which during the scarcity had "risen as high as Rupees 4-12-10 per "Cullum fell in November to Rupees "3-10-8, in December to Rupees 3-2-6, "and in January to Rupees 2-4-9, where "it stood with little variation till the "end of May, when a progressive rise "recommenced as will be seen in "Statement 15. Previous to November dis- "tress had pressed heavily on the people, "the generality being obliged to content "themselves with one meal a day and "the poorest Class being dependent "on the food prepared for them from

the

"the Government and Devastanum or "Funds and from private subscriptions "emanating from and encouraged by "the Native Servants of my Office." a further abundant fall of rain throughout the District in March filled all the Tanks and secured an ample supply for Man and Beast during the hot weather. Upon the whole, the season was much more favorable throughout the Collectorate in this than in the preceding Fusly with the exception of the two Talooks of Melur and Tyempilly.

In Madura there was an increase both in the Wet and Dry Cultivation amounting in the former to 15 per Cent and in the latter to 3 per Cent.

In

2

Wet Cultivation Madura

Fusly 1246		Fusly 1247	
Cawnies	Rs A P	Cawnies	Rs A P
[illegible]0,628 – 7/8	237,206 – 1 – 7	43,338 – 3/4	273,802 – 1 – 9

Dry Cultivation Madura

Fusly 1246		Fusly 1247	
[illegible]unnies	Rs A P	Cawnies	Rs A P
[illegible]4,974 – 5/8	268,224 – 9 – 8	128,435 – 8	278,299 – 13 – 8

3 In Dindigul there was likewise a very considerable Increase in the Wet Cultivation amounting to 24 per Cent but a Decrease in the dry to the extent of 7 per Cent - a further cause of Increase in the Settlement in comparison with the preceding Fusly is to be found in the amount of Remission being so much smaller, the amount granted in Fusly 1246 on account of perished Crops being 1,25,727 - whilst in the Fusly under report it was only found necessary to make remission to the extent of Rupees 18886 - The total Ryotwar Settlement of the year including ready money Collections thus amounted to Rupees 9,17,331 or

Wet Cultivation Dindigul

Fusly 1246		Fusly 1247	
Cawnies	Rs. A. P.	Cawnies	Rs. A. P.
17,061-11½	1,48,199-10-9	23,302-7¾	1,84,862-14-[illegible]

Dry Cultivation Dindigul

Fusly 1246		Fusly 1247	
Cawnies	Rs. A. P.	Cawnies	Rs. A. P.
15,577-4½	3,40,187-15-"	13,026-12¾	[illegible]-15-[illegible]

Rupees

Rupees 168,754 above that of the preceding Fusly and adding thereto the Revenue from settled and unsettled Zemindaries and Hill Rents the total settlement of the Land Revenue of the year amounted to Rupees 16,33,630 or 169,746 above that of Fusly 1246 and exceeding the average of the last 5 years by Rs 33040.–

	Rupees
Settled Zemindaries	626,468
Unsettled	86,547
Hill Revenue	3283
	716,298
	917,331
	1633,630

4.– In addition to the above the settlement of Extra sources of Revenue amounted to 536,907–3–2 which raised the Gross settlement from all branches to Rupees 2190538 exceeding the Gross settlement of the preceding year by Rupees 73001–0–0–

Fusly 1246	2117,536
1247	2190,538
	73,001

5 Out of the above Gross Settlement Rupees 2179282 had been actually

actually realized within the Month of July leaving a small balance of Rs 1256 outstanding, of which 64 only was due from Ayen Ryots and 1192 by Zemindars, and of this latter sum 927 had been adjusted, so that in fact the actual balance Ayen and Zemindary was only Rs 429.–

6.– This result as Mr Blackburne anticipates is considered highly satisfactory and reflects equal credit upon him and his subordinates.–

7.– In the detailed Statement No 4 the Board remark an entry of Cawnies 388 bearing an assessment of 1463 Rupees which is stated to have been cultivated in Fusly 1246 but not included in the Jummabundy of that year. The Principal Collector has made no allusion to this in his report, but the Board Cols 527–528

conclude

conclude from the entry that it is cultivation made in Fusly 1246 but not reaped till 1247 - It is believed to be the practice in most Districts to enter Crops that are not reaped before the settlement of the Jummabundy, but before the close of the Fusly, in the Accounts of that Fusly under the Head of "Savoy Jumma," and this practice would appear hitherto to have prevailed in Madura, the Principal Collector will be pleased to explain the particular circumstances which led to the deviation from the ordinary course which would seem to be confined to the two Talooks of Madacolum and Teroomungalum and to have been introduced for the first time in the year under review. -

8 - The settled Zemindaries

remained

remained unaltered under the head of "unsettled Zemindaries" an Increase of 939-14-6 is exhibited in consequence of the restoration of the Mailcotty Pollium to the ancient Proprietor, after having been incorporated since Fusly 1225 with the Govern-ment Ayen Lands. Para

9 The Hill rents which are confined to the Pulney Hills remained nearly the same as in the last year. Mr Blackburne appears to have given much praise-worthy attention to ameliorate the condition of the inhabitants of these Wilds as well as to the improvement of the irrigation and the approaches to them. at his suggestion a Surveyor was sent up last year to make an

Estimate

Estimate for the repair of the roads but his Estimate amounting to Rupees 63965-13-9 precluded the Board for the present at least entertaining the project on so large a scale. Some Choultries and Cattle Sheds however have been built upon the Hills for the accommodation of Traders resorting thither.—

Para 8. 10 The Principal Collector observes that the Cowle remissions are progressively decreasing, but the Board remark from Statement

Ds 46 to 51. 10 that Cawnies 783 have been newly cultivated under "Special Cowle" "being Land "enjoyed one or two years on Cowle tenure and left waste," the rate of Teerwah on a portion of this is 3 Fanams 10¾/16 the Board would wish to be informed why the conditions of the Cowle

were

were not held binding on the occu-
-pant, whether this Land has ever
been cultivated, and how long
it has been left waste as they
can find no Land assessed at the
above rate in the Accounts of
their office.-

11.- The Decrease in the
number of Ryots in 1247 compared
with Fusly 1246. referred to in Para
9 of the Principal Collector's report
the Board are disposed to attribute
to the return to their own Districts
of some of the vast numbers that
flocked to Madura in Fusly 1245
as particularly noticed in the
Board's Proceedings upon that Fusly, - Para
as the number of Resident Ryots
in Fusly 1247 tho' less than in 1246
exceeds the number in 1244. the
population

population generally too in 1247 tho' less also than 1246 exceeds that of both 1244 and 1245.-

	Fusly 1244	Fusly 1245	Fusly 1246	Fusly 1247
Ploughs	45,425	47,267½	45,529	44,565
Ryots	52,068	54,146	53,862	52,941
Pyacarries	22,143	23,791	21,179	20,825
Cows	174,745	181,744	160,427	153,845
Bullocks	110,813	113,945	106,066	104,079
Sheep	420,382	435,013	426,739	376,050
Houses	126,946	130,251	148,272	145,597
Men	258,104	263,399	267,282	277,972
Women	246,116	253,613	281,219	274,505

Para 10

12 Mr. Blackburne notices with much satisfaction the continued pro-gressive improvement in the Talook of Teromungalum - The Revenue of this Talook has increased from Rupees 190,640, which it was in Fusly 1240, to Rupees 253,756 the amount realized in the Fusly under review and which exceeds the Revenue of Fusly 1245 the highest on record by Rupees 19,286 - the increasing prosperity

prosperity of the Talook is ascribed by Mr. Blackburne to the clearing of Jungle, the extension of Cotton Cultivation and the conversion of much Poonjah into Nunjah, results which must be considered as very satisfactory if they have not been produced at a sacrifice in other Talooks. This has led the Board to prosecute the enquiry further and to draw up the two following Memorandums.

Teroomungalum.

Extent of Cultivation	Fusly 1240 Cawnies	Fusly 1247 Cawnies
Poonjah	58,744	82,472
Nunjah	8,594	9,516
Total	67,339	91,988

Teroomungalum

Population &ca.	No. of Ryots	Beriz
Fusly 1240	14,798	190,640
" 1245	16,573	234,470
" 1247	16,973	253,756

From

13. From the above it will be seen that the Poonjah or Dry Cultivation as compared with Fussly 1240 has increased in the proportion of 40 per Cent and the Nunjah or Wet Cultivation in the proportion of 11 per Cent and that the Ryots in the same period have increased 14 per Cent and the Revenue 33 per Cent - It will be instructive to enquire where this accession of Ryots has come from if from other Talooks in the Zillah what has become of the Lands which they have left.-

14 In the Statement in Para 5 of the Sub Collector's Report shewing the particulars of cultivation made in Dindigul the Board observe 130 Cawnies yielding an assessment of Rupees 2128 entered

at cultivated with Sugar Cane, the
Board would wish to know what
rate of Teerwah has been collected on
this Land, whether the former "Sugar
Cane Teerwah" or simply the Teerwah
of the Land as directed by the
Board – It is observed also that the
extent of Land as above specified
differs from the extent mentioned
in the Statement B which accompanied
Mr. Blackburne's letter 19th March
1838 where it is entered as 135 Cawnees –
The Principal Collector will be pleased
to explain this difference and
will be pleased also to forward
annually with his Jummahbundy
report a Statement shewing the
extent of Sugar Cane cultivation. –

15. The Board in their

Proceedings

Proceedings on the settlement of

Para 16. Fusly 1246 expressed their readiness to take into consideration the propriety of reducing the Tax on Coconut Trees, which it was observed was not only unequal but in some cases excessive, before however recommending any alteration they desired to be informed, to enable them to report to Government, "whether the Land on which the Coconut Trees are grown in Madura is assessed as well as the Trees," and they were further desirous of obtaining from local enquiry some explanation of the original cause of the inequality, for tho' their Records were silent on the subject it was supposed the information might possibly be obtained from the Village Accounts and the tradition

of

of the Inhabitants.

16. Mr Blackburne in his reply states that the Trees only and not the Land are taxed but he has not been able to supply any information on the other point, the Board however concur with him in thinking the tax in some cases too high, and that it should be modified, they propose therefore that the two first rates entered in Statement No 17 which accompanied his Report upon the settlement of Fusly 1245 should be reduced respectively from 3 C. Fanams and 2 C Fanams per Tree to the 3rd rate, Vizt. 1/2 Fanam per Tree, and that all the other rates should remain for the present, at least, as they are. — 5 July 183

Mr

17. Mr. Blackburne has forwarded as requested by the Board Copy of the "Jummahbundy Chittah" of one Village, Cushah Maradalum, for Fusly 1246, and Copy of an "Individual Puttah" in the same Village.—

18. The Chittah appears to the Board to contain many details which are not necessary, but it is essentially defective as a "Ryotwar Jummahbundy Chittah," since it neither shews the particulars of the Individual Ryots cultivation nor the particulars of Fields. it is in fact only an "Abstract Village Settlement" exhibiting the total amount of cultivation under each head of Nunjah, Poonjah &ca, the deductions for Shavee &ca and the Net demand or Settlement, but shewing no where the particulars

particulars of any individual Ryots Cultivation - In like manner all the details of the Shavee Remissions are omitted. The total settlement of the Village is shewn amounting to Rupees 4720 and Rupees 3937 is deducted in the lump on account of Shavee remission, but the indi-viduals to whom and in what portions this has been granted is no where to be found. The Gross amount of the individual Puttah forwarded is for Chs F As 137-3-9 of which Chs F A 114-6-12 is remitted on account of Shavee, but these particulars are not shewn in the "Jummahbundy Chittah" - The "Puttah" and "Chittah" ought to correspond in fact the Puttah should be a Copy of that

part

part of the Chittah relating to the particular individuals culti-vation and where it is not the practice to take separate Moochilkas it is usual for the Ryots to affix their signature to the Jummahbundy Chittah in acknowledgment of the correctness thereof. With these Proceedings the Board transmit a Form of Jummahbundy Chittah" which they would recommend being introduced into Madura in lieu of the present one.—

19. In Para 5 Mr Blackburn states that the Settlement in Fusly 1247 was conducted without deviation from the principles hitherto prevailing, and so attached is he to the system that unless he is specially

specially instructed to the contrary he shall revert to it in the settlement of the Current Fusly.-

20.- As the Board understand Mr. Blackburne, the settlement is made as follows - An inspection of the Crops takes place early in the year, and this done, the Curnums of the several Villages are summoned to the Huzzoor and the Accounts of settlement and Puttahs there prepared by them and the Collector's Establishment without any reference to the Ryots themselves - This operation appears to occupy from 15 to 60 days according to the size of the Village and the industry and experience of the parties, when the whole

are

are completed the Puttahs are dis-
-tributed by the Principal Collector
to the Ryots in different Villages
in each Talook selected for this
purpose with reference to the con-
-venience of the Ryots, so that 3/4ths
of them are not detained more than
6 hours from their Villages and the
other fourth from 12 to 24 hours.-

25 If the Board are cor-
-rect in the view they have taken
of Mr. Blackburne's mode of
conducting this part of the settle-
-ment they think it open to serious
objections; they are of opinion that
there is no necessity for the assem-
-blage of the Curnums at the
Huzzoor Cutchery to prepare the
settlement Accounts and Puttahs
but

but that these can be better pre-
-pared in the Talooks after a
careful comparison of the Village
Accounts of cultivation tested by
any subsequent accounts of
Azmaish or Examination which
may have been made by the Tah-
-sildar or under the order of the
Principal Collector and in com-
-munication with the Ryots at the
Tahsildar's Cutcherry or Principal
Collector's Circuit Cutcherry where
the Ryots from a certain number
of Villages at a time should be
required to attend the settlement
Accounts or Jummabundy Chittah
being thus prepared in communi-
-cation with the Ryots they should
be required to point out any inac-
-curacies or signify their assent

to

to its correctness by their signa-
-ture when their Puttahs should
be made out and given them.—

22 By this arrangement
the Cvanum will be saved so long
a stay at the Huzzoor and the
Ryots at least those who have no
objections to make need not be
much longer detained from their
homes than under the present sys-
-tem:—

23 The Board do not think
it necessary to enter into more detail
with a public Officer of Mr.
Blackburne's experience nor will they
add more to what they have already
recorded in their Proceedings (Para 3)
on the Settlement of Fusly 1246 than
to repeat the expression of their opinion
that it is essential for the interests
of

of the Ryots and of Government that the settlement should be made in the Talooks and not at the Principal Collector's Huzzoor.—

24 The Board are well pleased to observe the terms of satisfaction in which Mr Blackburne speaks of his Head Sheristadar Shashagerry Row.—

Ordered that a Copy of the foregoing Extract from the Board's Proceedings be forwarded to the Principal Collector of Madura for his information and guidance.—

(True Extract)

Ahel...
Secretary.—

Despd 11th May 1839
Compd ... Lambert
Recd 15th ... 913

131

Rev. Depart.

Re.

To

The Principal Collector

of Madura.

Sir,

I am directed by the Board of Revenue to transmit for your consideration and report, the accompanying appeal Petition from Vellay Carpen and Parechy uppen ambalagars of Pennyoyel in your District.

608 of 1839.

I have the honor to be,

Sir,

Your most obed.t Serv.t

Rev. B.d Office,
Fort S.t George,
16.th May 1839

Desp. 22/do
Rec.d 25th/D

Comp.d

Secretary

Revenue Depart.t

Circular

To

The Principal Collector of
Madura.

Sir,

I am directed by the Board of Revenue to transmit for your information and guidance the accompanying Extract from a General Letter from the Hon'ble Court of Directors, regarding the expediency, in cases of temporary attachment of Estates, of permitting the Zemindar or one of the family to manage the Estate as an Aumeen.

Para 80 – letter dated 9th May 1838.

I have the honor to be,
Sir,
your most obedient Servant
[signature]
Secretary.

Rev.d B.d Office,
Fort St George,
20th May 1839.
Desp 7 June Do
Re 3 11th [illegible]

Comp.d [illegible]

Extract

Extract from a General Letter from the Honorable the Court of Directors, dated 9th May 1838. No. 5.

Para 40 With regard to the question which you have raised as to the general expediency, in cases of temporary attachment, of permitting the Zemindar or one of the family to manage the Estate as Ameen, we are disposed to think, with advertence to the frequent instances of the ill success of sircar manage-ment, that it would in many cases be advisable to adopt the course which you have suggested. The individual selected for the

Office

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Office would of course be directly accountable to the Collector and subject to his orders with regard to the management of the Estate. It is to be presumed that he would possess that knowledge of its resources which it would take a stranger a considerable time to acquire, and it would manifestly be his interest to relieve the Estate with the least practicable delay from its embarrassments, while it would be that of a stranger to retain it as long as possible under his own management. Although it might be inexpedient to adopt the practice as a general rule

we

we think that it would be desirable to intimate to the Collectors generally that they are at liberty to suggest this course in all cases in which they may deem such a measure advisable—

(True Extract)

A. Colt[illegible]
Secretary—

Comp.d [illegible]

(137)

Revenue Departt.

Extract from the Proceedings of the Board of Revenue dated 20th. May 1839.

Court's letter 10 to 12

Ordered that a copy of these Paras be furnished to Mr. Blackburne for his information.

Extract from a General Letter from the Honorable the Court of Directors dated 9th. May 1838. No. 5.

7 and 8 also para 93 of Letter dated 15th. November (No 11) 1836. Settlement of the Land and Extra Revenue of Madura for Fusly 1244.

Para 10. The Season appears to have been but moderately favorable in this district, but the Collector was nevertheless enabled to effect an increase in the Settlement to the extent of Rupees 33597. Of the total demand Rs.

Settlement

Fusly 1241	Rs.	1433014-12-5
" 1242	"	1544253-8-3
" 1243	"	1605212-12-5
" 1244	"	1638810-4-3

(Rs. 1638810) there was collected within the fusly Rupees 1550057, leaving a balance of Rupees 88753 - The portion of this balance which was due from the ryotwar part of the district was only Rupees 1835 which was collected shortly after the close of the fusly the remainder Rs. 86917 being due from Zemindaries whose affairs have formed the subjects of separate references.

11 The facility with which a progressively increasing demand has been realized, and the favorable view given by the Collector of the general condition of the Ryots have afforded us much gratification, and furnish

satisfactory

satisfactory evidence of the mode in which the Revenue affairs of the district are administered by Mr Blackburne –

12 The Net receipts from Extra Sources exceeded those of the previous year by Rupees 14722 – 3 – 8. The principal decrease took place in the items of Sayer and Abkarry which was however more than Counterbalanced by the increased Collections on account of Sea Customs and Salt, the former occasioned by a large export of Cotton to China, and the latter by the introduction of an improved

Fusly 1243 Rs	5,67,433 – 9 – 11
" – 1244 – "	5,82,155 – 13 – 7

System

system of control which reflects much credit on the Collector's management.

(True Extracts)

Recd 8th June 1839

J. Whelan
Secretary

Desp. 5 June 1839
Comp. [illegible]

Revenue Department.

No. 157.

To

The Chief Secretary to
Government.

Sir,

Para 1 — With reference to the Endorsement by Government on a Petition (No. 111 of 1839) referring for the consideration of the Board the application of Mootoova Koolaly Naunchear daughter of the late Mootoo Ramalinga Sethoopathy and Widow of Ironplay Ramasawmy Thaver for an increase to her Pension, at present 40 Rupees per Mensem; I am directed to request that

that you will submit for the considera-tion of the Right Honorable the Governor in Council the accompanying correspondence with the Principal Collector of Madura.

To the Pl. Collr. of Madura 11th March 1839
From do. 20th do.

2 It appears from the Collector's letter that no change has taken place in the condition of the Petitioner as brought to the notice of Government in the letter of the 14th January 1836, and with reference to which her present Pension was fixed, and the Board therefore see no reason to recommend an increase.

3 Mr. Blackburne proposes that the Petitioner and the other Members of the family may be paid the arrears

of

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of their present Pension from the 22nd March 1830 the date of Ramasawmy Thaver's death to the 1st January 1836 from which date it commenced, the amount being Rupees 4156 — „ — „ All the circumstances of the case having already been under the consideration of Government, it will rest with them to decide whether it is practicable — reference being had to the distressed condition of the family to authorize compliance with this suggestion. —

Revenue Bd. Office,
Fort St. George.
11th April, 1839 —

(Signed) P. B. Smollett
Secretary —

Extract

No. 650.

Extract from the Minutes of Consultation Under date the 21st May 1839.

Read the following letter from the Secretary to the Board of Revenue.

(Here Enter 11th April 1839 No. 157.)

Adverting to the distressed condition in which the family of the late Mauplay Ramasawmy Thaver are represented to be, the Right Honorable the Governor in Council resolves to recommend to the Honorable the Court of Directors payment to them of the arrears of their pension from the 22d March 1830, the date of that individual's death to the 1st

January

January 1836, the date on which it commenced, amounting to Rupees (4156) four thousand one hundred and fifty six.—

The Board of Revenue will be pleased to communicate to Mootoova Koolaly Naunchear with reference to Petition No. 111 of 1839 the Resolution of Government on her application contained in that petition.—

(A true Extract—)

(Signed) H. Chamier
Chief Secretary.

Extract from the Proceedings of the Board of Revenue dated 3. June, 1839.

Ordered that copy of the letter

letter from the Board of Revenue to the Chief Secretary to Government under date the 11th April with transcript of the foregoing Extract from the Minutes of Consultation thereon be furnished to the Principal Collector of Madura for his information and guidance with reference to his letter of the 20th March last –

Mr. Blackburne is requested to inform Mootoova Koolaly Nauchear of the orders of Government in her case. –

A True Extract

D. Hill [signature]

Secretary –

Despd 10 June 1839
Camp Ashambeck [?] Recd 13th JB

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Rev. Departt.

Extract from the Proceedings of the Board of Revenue dated 20th June, 1839.

Read the following letter from the Principal Collector of Madura dated 25th May, 1839.

(Here enter No. 39)

The Principal Collector has properly rectified the inaccuracy of the late Principal Collector Mr. Peter in his description of the degrees of relationship of the surviving branches of the family of Meenatchee Widow of Murdoo Shervagar of Shevagunga contained in his letter to the Secretary to Government of the 11th May

May 1821 - but it does not seem necessary to bring the matter at this distant period to the notice of Government. -

The charge for a Vakeel and on account of the Meenatchee Pagoda may be discontinued at the discretion of the Collector, if unnecessary. -

(a true Extract)

[signature]
Secretary

Recd 28th June [illegible]

Desp. 25 Junie 1839.
Comp. [signature]

26 145

Rev. Depart.

Extract from the Proceedings of the Board of Revenue dated 20th June 1839.

Read the following letter from Principal Collector of Madura dated 6th June 1839. –

(Here enter No. 41)

Ordered that under the explanation contained in the foregoing letter the following endorsement be passed on Petition No. 608 of 1839. –

Endorsement.

– The 1st Petitioner is reported by the Principal Collector not to have preferred to him any complaint on the same grounds as are adduced

in

in this Petition - he is therefore again re-
-ferred to that officer, to whom he should
produce any document he possesses in
support of his claims - From the report
of the Principal Collector it does not
appear that the 2d Petitioner has any
reason to complain - but he is at
liberty if he thinks proper to address
that officer again explaining with
reference to the Principal Collector's
Endorsement of the 7th February 1839, his
grounds of complaint more explicitly,
when his case will doubtless meet
with all the attention it may
merit." -

(A true Extract)

J. W. Elliot
Secretary

Despd 28 June 1839.
Comp. G. Lambert Recd 1st July [illegible]

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Revenue Department

Circular

To

The Principal Collector

of

Madura

Sir

Para 1 I am directed by the Board of Revenue to transmit to you the accompanying copy of a minute recorded by the Governor General on the process followed in the upper Provinces of Bengal for assessing and settling the land Revenue in contrast with that observed in the Ryotwar Districts under this Presidency and calling for particular inform-ation on certain points connected

Enclosure No. 3 in a letter from Govt. 20th March 1839

with

with that system under this Govern=
=ments. -

2 The Board request me to call your attention to the particular questions put by His Lordship and recorded in Para 12 of the Minute now transmitted, and to beg that you will reply to each of the points enumerated so far as they are applicable to the District under your charge, accompanied with any general observations you may wish to add on the subject discussed in this Paper. -

3 The Board will expect

to

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to be favored with your reply to this reference within thirty days from the date of its receipt. –

Revenue Bd Office,
Fort St George,
20th June 1839 –
Desp 29 Do
Recd 2 July 18[illegible]

I have the honor to be,
Sir,
Your Most obedient Servant

[illegible]
Secretary

Comp: [illegible] Lambert

Minute by the Right Honorable The Governor General.

This is a valuable paper which should be communicated as soon as possible to the authorities in England, to the President in Council and to the Government at Madras. Founded upon reports referring only to four of the Madras Districts it is doubtless imperfect, and inaccuracies and misapprehen=sions will probably be found in its reference to the details of a system with which the writers are not intimately acquainted. It is drawn also with a natural bias in favor of

Revd. Dept.

Report of the Sudr Board at Allahabad on the mode of Land settlement in the Bengal Western Provinces and under the Ryotwar system establish=ed at Madras

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of the state of things existing in this Presidency, but the hints which it supplies will, I am satisfied, not the less receive a candid attention from all the authorities to whom it may be submitted with a view to the improvement of both the modes of administration which it discusses.

2 I have referred in examining it to the latest and best publications on the Ryotwar system as now in force at Madras the one the sketch of that system printed in London in 1831 of which Mr Sullivan, for

14 years Collector of Coimbatore,
and at present a Member of the
Madras Government, is the avowed
author, and the other the paper
by Mr. A. D. Campbell of the
Madras Civil service inserted
in the Revenue Appendix to the Page 37 to 47
House of Commons' Report of 1832

3 In order to enable other
authorities to consider the comparisons
into which the Allahabad Report
enters with advantage it will
be desirable to send with it
as explanatory of the plan of
Revenue settlement in progress

in

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in those Provinces the series of Circular Orders prescribing the principles of that plan and the methods of procedure by which it is to be put in execution - the able and excellent Memorandum lately submitted by Mr Thomson showing how the plan has been practically introduced in the settlement con=cluded under his Superintendence of the Azimghur District, and a letter which has just been address=ed to the Honorable Court laying before them a general outline of the plan and of the more import=ant rules connected with it -

These

4 These papers may be the more necessary for the purpose of removing any objections to the scheme of Village settlement as adopted in the Bengal western Provinces which might at first be entertained by the Madras Officers in consequence only of the failure of the Village settlements which were for some time resorted to in their Presidency. These latter set=tlements were wholly wanting in the careful and systematic inqui=ries and provisions which are essential parts of the Bengal Village

See Pages 21-28 of Mr. Sullivan sketch & 36-37 of Mr. Campbell Paper.

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Village settlements.–

5 I shall proceed briefly to notice the principal points which suggest themselves to me for attention in the documents before me.–

6 The principle of the Madras system is to impose a fixed and moderate assessment on every field according to it's class with the occupant <u>of the highest tenure</u> whom if he have not already an acknowledged proprietary right it is desired to raise to be a Proprietor owning an Estate which from the lightness and certainty

of

of the assessment shall possess a saleable value. Between the highest occupant and his under renters no interference is exercised, their arrangements being left to be adjusted by their own agreements under the control of the Courts of Law. The system having been first prominently and generally adopted in the Ceded Districts where scarcely a trace of proprietary rights in the soil remained the rule of a separate and direct settlement with every superior Cultivator was not there opposed to the claims or usages of the Village communities: and the same

See Mr Su[...] p 42 & Mr[...] p 44.

same rule has been extensively followed elsewhere where there have been many varieties of proprietary tenure with it seems a just apprehension the possible effect of deranging established Customs and seriously affecting existing rights and interests. Mr

Page 47 Campbell has indeed stated (in reply to such an apprehension which was stated by Sir Charles Metcalfe) that this system "has contributed in Southern India to perfect and preserve harmony and unity amongst the Village Communities" - But it's result in this respect would appear

appear to me to merit further investigation, for that can scarcely be calculated to preserve union which has for its direct object to separate off and give a distinct protection to each individual possession - An assessment having been defined upon each field as abovementioned every Cultivator is left in each year to cultivate what fields he pleases - The Revenue is annually adjusted according to the actual Cultivation, when allowances are also made for failures of season or poverty among the Cultivators - It is in these constantly recurring investigations

of

(63).

of the most minute character
by numerous Government Officers
that the most important defect
of the system seems to me to
exist - The publicity of the
proceedings is no doubt a
valuable check on corruption
and fraud. There may be a
great safe-guard also in the
vigilance and accessibility of
an able Collector. But the ~~ce~~
unceasing interference of Government
Officers cannot I should think
after every precaution but be
a source of serious evils and abuses
These men must still have
immense power in their hands -
under the most favorable
circumstances

circumstances, the sense of universal dependance upon Government Officers is always likely to depress the feeling and character of a people. Nor especially where the process is annual and extends to such a variety of particulars, and the means of seeking information by the statements of persons desirous of supplanting the existing Village Officers or of Cultivators eager to debar others from special advantages be free from generally mischievous and demoralizing effects. It may well be doubted whether these disadvantages do not greatly counterbalance the undoubted

benefits

benefit of a certain and moderate limit to the public assessment which can be imposed on each field. The obstacles to determining an equal and fair assessment for every field in the Country form an inherent difficulty of the plan. And the necessity of securing for the Superintendence of the detailed annual assess-ment and Collections a succession of the most able and experienced Officers whose services if they can be at all obtained must be withdrawn from other branches of the administration constitutes another material objection. On

the

the other hand the facilities* for the transfer or partition of Estates where an Assessment has been permanently adjusted on every field are great and valuable.

*see instances in Pages 73 & 74 of Mr. Sullivan's sketch.

7 The present system of settlement in the Bengal Provinces fixes for a considerable period of years the Assessment on each Village on a standard carefully regulated with reference to previous actual Collections. It adjusts and records the rights and obligations of each class of Proprietors in a Village and settles their distinct responsibilities for the term of settlement. It

does

does not attempt to frame a detailed and fixed field assessment. It avoids minute interference with the internal arrangements of bodies of Proprietors in a Village. But it causes disputes existing among these to be enquired into and arranged at the period of the settlement by the aid of Assessors or Arbitrators from the neighbourhood and a Representative to be chosen by each body for the management of their common concerns in their relation to other Members of the Village community or to the Government. It ascertains and determines the rate of rent to be paid during the

the period of settlement by every
under tenant having permanent
rights whether transferable or
merely of hereditary occupancy.
It records the rates of rent
prevailing for Cultivators at
will, and these rates form a
standard of decision in case
of litigation and the absence
of clear written agreements at
least until they are set aside
by the regular decree of a
Judicial Court. It thus defines
the revenue claim of Government
and the interest of every party
entitled to protection without
disturbance to existing usages
and institutions. These objects accomplished
it

it seeks to set the Village free from the meddling of Government Officers until the distant period at which a re-assessment will be necessary — Possessing these recommendations it is yet open to the objection of not placing as is done at Madras a positive limit to the future rate of re-assessment that rate remaining to be determined according to the knowledge and discretion of the Officers of Government at the time. —

8 It should be added that there is the wide difference between the two modes of settlement as regards the process of

of survey and the encouragement
to the Cultivation of waste land
which is alluded to by the
Allahabad Board - The rules in
these respects in the Bengal
Provinces appear to be certainly
preferable, although encouragement
is intended to be given at Madras
to the Cultivation of waste by
determining at the time of general
survey and assessment the utmost
limit of tax to which such land
as well as the Cultivated land
can be subjected, "and by notifying Mr. Sullivan Page 31
"at the same time that the
"full amount of the tax will
"not be demanded until the
"land is brought into a forward
state

"state of Village:-

9. It is an excellent part of both modes of settlement that so much is left to the determination of the people themselves acting under the check of large and public assemblages. Mr Sullivan particularly dwells upon this circumstance in his account of the Ryotwar system

Para 15

and I am well convinced that this course affords the best attainable security for accuracy and fidelity of procedure.

It is common also to both plans that it is sought to make the settlement as far as possible with those who are thought

thought to be the actual pro-
=prietors of the land: thence in
the Bengal western Provinces
the bodies of Village Zemindars
have in many instances been
admitted to direct engagements
with the Government to the
exclusion of the Talookdars or
other superior holders to whom
we had hitherto kept them sub-
=ordinate. In both cases there
will be the effect though by
no means so generally on this
side of India as at Madras
of removing from connection
with the soil all but a class
of small and at best not
wealthy cultivators. This cannot

it

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it appears to me be avoided with justice to the owners of the land in the actual condition of Indian tenancy. We must long be content to rule over little more than a poor rural population. The custom of early marriage, the rule of equal partition among heirs, the attachment of the Peasantry to their landed rights and the absence of other extensive means of employment for them, all combine to produce and to perpetuate this result. The Board at Allahabad remark on the small average size of the individual farms at Coimbatore

one

one of the best of the Madras Districts. But I am not aware that the Estates or holdings of individuals amongst the Village Communities in our western Provinces are by any means generally larger -

In speaking of the two systems it is to be remarked on the one hand that the per=manent adjustment of that at Madras by a proper reduction of the field assessments had up to the date of the autho=rities to which I am referring been only very partially accomplished, and that on the other

Mr. Sullivan says Page "Coimbatore is the only one of the Madras Provi[illegible]

in which the Ryotwar system has had any thing like a fair trial. In that district a final reduction of the field assessment has been made. For details of the progress of reduction in other Districts. See Mr Campbell Pages 40 and 41-

other the working of the new Village system in the Bengal western Provinces has still to be tested by experience Mr Thomason in his report on Azimghur points out with great justice that much care will be requisite to preserve in effectual and beneficial operation the arrangements which have been concluded under his direction - Wherever the settlement has been finished in one of our upper Districts the best promise of improvement has hitherto been

been exhibited, but the scheme must have a wider and longer trial before a confident judgment can be pronounced on it. In Coimbatore the only district in which the Ryotwar system is stated to have been perfected Cultivation and the prosperity of the people appear to have decidedly advanced- Mr Campbell Pages 39 & 40

In this District the Garden "land "sells as high as in England or "from twenty to twenty five "years purchase of the Cultivator's surplus net Receipts..

12 The authorities at Madras will of course record on the

the communication now to be made to them such explanations as they may find to be necessary in order to shew clearly the state of things at present existing in their Presidency. But I may enumerate the following points as being those on which it occurs to me that it would be satisfactory to receive special information. –

1st What progress has been made in reducing the field assessment in the several Madras Districts to what may appear to be a moderate

permanent

permanent standard.—

2nd How far has each of the several description of land— Garden irrigated and unirrigated— acquired a saleable value up to this time in the several Districts?—

3d— Can the Bengal system of Combining a Professional with a field survey so as to embrace the whole Country in its Circuit and to afford valuable topographical and Geographical delineations as well as detailed Revenue information be now adopted with advantage in any District at

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at Madras.—

4th It is the general belief of the Revenue Officers at Madras that the system of Minute annual scrutiny and adjustment of individual assessments can be kept free from the evils of oppression abuse and extensive dissension and ill will which have been appre=hended, and on what ground does such a belief rest.—

5th In Villages which are held in joint proprietary tenancy is it just and right to maintain the scheme of individual Ryotwar management by Government and could in such Villages a general

general Village settlement be introduced on a principle similar to that observed in the Bengal Western Provinces. – Some rules for admitting the preferable claim of such joint proprietors to the waste land of their Villages upon which they have usually from their common interest in the whole Village area a strong claim would seem to be particularly desirable. –

6th What arrangements are or may expediently be made in the Madras Settlements for defining and recording the interests of under tenants who may have fixed

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fixed rights of hereditary occupancy
Pages 43 & 44 or otherwise? There are passages
in Mr. Campbell's paper which
seem to leave it doubtful whether
the Collector makes any distinct
record for the protection of
hereditary under tenants —

13 There remain but a
few Miscellaneous points which
have occurred to me on a perusal
of these papers —

14 The Board at Allaha-
-bad are I think right in inferring
that a strict comparison cannot
fairly be drawn between the
rate of balances of Revenue &c.
exhibited in Districts of our
Western

Western Provinces and of Madras.
In the former the balance exhibited
is a real balance on a fixed
Jumma, in the latter there is an
yearly fluctuation of the Jumma
and much is deducted as a re-
=mission which would otherwise
appear as balance. To estimate the
punctuality of Collection in a
Madras Ryotwar District the
amount of remissions and apparent
balances must be considered
together. —

15 The Board at Allaha=
=bad are I think right also in
saying that if as has been suggested Mr. Ca
Pa
the allowance made before determining
the fixed Jummah in a Bengal
District

District to cover the risks of collection by the party engaging with Government should be taken into account in estimating the entire expense of collecting the Revenue, so also the large annual fluctuating remission made at Madras (for reductions equivalent to which the Bengal allowance is merely a fixed commutation) should form part of the calculation - The remissions still appear to be made to a very considerable extent in many Districts, although Mr. Campbell

Page 39 speaks of their being unnecessary unless in rare cases of exception under "the newly modified Ryotwar settlement". -

I

16 I observe in the Board's report a statement that in the Nellore and Tanjore Districts of Madras the assessment fluctuates according to the description of Crop grown, I presume that the remark refers to some former practice which has been abolished in conformity with the expressed wish of the Honorable the Court of Directors and of the Supreme Government -

17 In the Canara Collectorate inconveniences appear to be experienced similar to those which the Bengal Government have recently and I hope with success

endeavoured

endeavoured to remedy in Chitta-
-gong. There is no survey record
of the extent or position of
Estates of which portions are
often situated in different
Villages and much inequality
and confusion have been produced
in consequence. But the attempt
which was commenced to frame
a Revenue survey of the District
seems to have been abandoned
owing to the discontent and
opposition by which it was
encountered. –

18 I have only to beg
in closing these imperfect remarks
upon

20

upon a subject of the highest interest that a copy of them may be forwarded with the Board's Report for consideration to the several authorities before specified.—

Simla,
18th September, 1838 } (Signed) Auckland

Recd 2 July 1839 (A true Copy)

(Signed) H. Torrens
Offg Secy to the Govt of India with the Governor General

(A true Copy)

(Signed) H. Chamier
Chief Secretary

(True Copy)

[signature]
Secretary

Compd. [illegible]

Revenue Department

Extract from the Proceedings of the Board of Revenue dated 11th April 1839.

From the Pl. Collr. 15 November 1837
From Do. 21st Nov.
Proceedings 19 Feby. 1838
From the Pl. Collr. 29 March 1838.

Read again letter from the Principal Collector of Madura noted on the Margin on the amount of Peishcush to be fixed on the Ancient Zemindaries of Ediacottah and Mambaray which have been ordered to be restored to the respective Proprietors.

Para 1. The Estate of Ediacottah originally assessed with a Peishcush of Rupees 9782-3-7 was attached for arrears in Fusly 1238 and finally assumed under the orders of Government of

of the 8 September 1835. The Pollum it was represented had long been a source of much loss to the Zemindar who had spent his private fortune in making good the deficiency. and it was then suggested that the Government demand should be reduced to Rupees 7491. 4. 10. being the average collections of 19 years. This was considerably in excess of the Collections made under the management of the officers of Government which had fallen short of the permanent Peishcush from July 1238 to July 1242 inclusive by Rupees 3421. 9. 5 per Annum, but it was stated by the Principal Collector that by a reduction to this extent and by an easy settlement with the Ryots it was hoped the

To Govt 20 Augt 1835
From Do 8th Septr

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the Zemindar might be able to restore the Cultivation and raise himself and the Ryots to easy circumstances. At that time it was not judged expedient to comply with the Zemindar's application, and the Estate was permanently assumed with an allowance of ten per cent of the net Collections to the Poligar.—

From Governt. 12th Septr. 1837 para 43 @ 48.

2 The Honorable the Court of Directors having in their Despatch of the 22d March 1837 expressed an opinion that the case of the Zemindar was one of much hardship and desired that the Estate should be restored to him with such reduction of the Peishcush as would enable him to undertake the administration of his ancestral property with profit

profit to himself, a reference was made to the Principal Collector of Madura, who in the letters under consideration has reported the amount of remission which in his judgment it will be necessary to make in the case of the Edicottah Zemindary, and that of Mambaray similarly situated, in order to give effect to the benevolent views of the Honorable Court towards the proprietors of these Ancient Polliams.

3 From the accounts now submitted it is seen that the Collections from Fusly 1210 to 1213 were as much as Rupees 14.603 - " - 3 which if permanent would have left 1/3

of

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of the assets agreeably to the calculations on which the permanent assessment was framed as a provision for the Zemindar and to meet the expenses of management, but the large receipts from the Estate in these years are stated by the Zemindar to have been owing to the existence during that period of an insurrection in the Coimbatore province which caused an influx of Cultivators into Madura who afterwards returned to their own Country. From that date to Fusly 1231 the average collections of 18 years were Rupees 8988. 4. 4 - In Fusly 1232 under the management of the Collector

the

the Estate yielded Rupees 7624-"-10-
from Fusly 1233 to 1237 a period
of 5 years it again produced an
average of Rupees 8044-2-10- since
that period it has been entirely managed
by the officers of Government, and
in the 9 subsequent years the annual
receipts have only been Rupees 6127-
14-7, the average of the whole 37 years
is Rupees 8735-11-"-

4 With these results Mr.
Blackburne has submitted his
opinion that a fixed Peshcush of
Rupees 7,000 per Annum is as high
as the Estate will bear and at
the same time enable the Proprietor
to retain it with profit, and

the

the Board concur in this opinion under the circumstances brought to notice in Mr Blackburne's letter of the 29 March. It has been already noticed that the average collections of the last 9 years was little more than 6000 Rupees, and

Fusly 1227. in the present Fusly the Revenue demand for Idiacottay is only 4242.6.9. It must be remembered also that when in Fusly 1212 the Zemindar offered to resume the management with a Peishcush of Rupees 7491.4.10 this was the full average collection of 19 years after deducting the private cultivation of the Poligar and calculated

to

to yield no profit to the proprietor, and it may be supposed that he was induced to make the proposition rather from his disinclination to part with his patrimonial Estate than with any well founded hope of being able to retain it with profit to himself. Even supposing that by care and outlay the future average should reach that of the whole 37 years or Rupees 8735 - 11 per Annum the profits will not be more than sufficient to maintain the family of the proprietor in comfort and to meet the ordinary expenses of management. Mr Blackburne

indeed

indeed seems to anticipate that the amount fixed is if any thing too high.

5 The Peshcush originally assessed on Mambaray was Rupees 2,254.6 per Annum and the accounts submitted would shew that from Fusly 1212 to Fusly 1241 the average gross receipts were Rupees 2239-8.7. From Fusly 1242 to Fusly 1246 under the management of the Officers of Government the average Collections were

were only 1290.6, the average for the whole thirty five years being Rupees 2103.15.1.—

6 On this Estate it is proposed to fix the permanent Peshcush at Rupees 1500 per Annum, which assuming the average statement of the Collections to be correct is probably as much as can be paid. Before the introduction of the permanent settlement the

Annual

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annual Peshcush it is stated was Rupees 799-9-7 only, the assets of the Estate were estimated by Mr. Hurdis at Rupees 3220-7-8, and the permanent Peshcush was fixed at Rupees 2254-6, but ultimately the Zemindar was compelled to relinquish his Estate.

7. The Mambaray Pollum is now represented to be in a very impoverished condition, devoid of resident cultivators, and the Peshcush which the Poligar has consented to pay considerably exceeds the highest collections under Aumanie management.

8. On a consideration of

of all the circumstances - the Board recommend that authority may be given for restoring to the Polegars of Chucottah and Mambaray the Estates on a reduced Peshcush of Rupees 7,000 and Rupees 1,500 respectively, as suggested by the Principal Collector of Madura and they would suggest that this arrangement should be brought into operation at the commencement of the ensuing fusly..

9. Before submitting the foregoing recommendation the Board of Revenue in a letter to the Principal Collector of Madura dated the 5th November last requested

requested to be furnished if prac=ticable with more detailed informa=tion in regard to the cause of the extensive deterioration of these Zemindaries, more particularly of late years under the manage=ment of the Officers of Govern=ment. Mr Blackburne's reply is contained in his letter of the 29th January last, to which the attention of Government is now requested. It is gathered from this communication that the great decline of Revenue of late years has been occasioned partly by the badness of the seasons and partly by the high rate of

of assessment originally fixed on the lands and from which the Collector is not at liberty to depart, but the Poligar of course being untrammelled in his management by reducing the assessment will be enabled to extend his cultivation and to pay a larger sum as Peshcush than is collected by the Officers of Government. In the communication now under notice the Principal Collector also states that it would be expedient to receive a still farther reduced Peshcush on both Estates for a period of at least 5 years, but the Board do not see that

sufficient

sufficient grounds have been shewn for departing from the arrangement proposed by the Collector himself in the first instance, and from which the Board have no reason to suppose the Poligars themselves at all desire to recede.

Ordered that a copy of the foregoing Extract from the Board's Proceedings be submitted to Government.

(a true Extract)

Signed P. B. Smollett
Secretary

Extract from the Minutes of Consultation dated 14th June 1839.

Under the opinion expressed by the Hon'ble the Court of Directors in

in Para 48 of their Despatch in the Revenue Department, dated the 22d of March 1837, the Right Hon'ble the Governor in Council is pleased to order the restoration of the Chinacottah and Mambaray Polliems in the Madura District to the Proprietors on the reduced Peishcush proposed by the Board of Revenue, which under the circumstances detailed in the foregoing Proceedings, would appear to be as much as they can bear, Vizt. Rupees (7000) Seven thousand &c for the former, and Rupees (1500) One thousand and five hundred for the latter.—

The

The Board will instruct the Principal Collector of Madura to make over the Estates to the Parties at the beginning of the ensuing Fusly, from which date the new rates of Peshcush will commence to have effect, with an intimation to them that after the indulgence now conceded, the Government will expect that by a proper administration of the affairs of their Polliems they will be en-abled punctually to discharge the Peshcush fixed on them.—

Signed/ Hy. Chamier
Chief Secretary

Extract

Extract from the Proceedings of the Board of Revenue dated 27th June 1839. —

Ordered that a copy of the Extract from the Board's Proceedings under date the 11th April last with copy of the foregoing Resolution of Government thereon be furnished to the Principal Collector of Madura for his information and guidance. —

Mr Blackburne will be pleased accordingly to make over the Estates of Edeacotta and Mamharay to the respective pro-prietors, with the Peishcush of Rupees 7000 and Rupees 1500 per annum fixed thereon by Govern-ment the arrangement to have effect from the commencement of

of the ensuing fusly, and will use his best exertions to excite the Poligars to a punctual discharge of their duties and strict adherence to their engagements.-

(A true Extract)

Recd 5th July JB

[signature]
Secretary

Desp 1st July 1839.
Comp. [signature]

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To

The Principal Collector of
Madura

Sir

With reference to your letter of the 14th Ultimo in which you attribute the desertion of a considerable quantity of land in the Dindigul Division to over Assessment and the tillage of lower rated land being pursued, to it alone being remunerating, I fear I must trouble you to forward to me the accounts of a few of the Villages so circumstanced shewing the quantity of

of land and amount of Assessment
of each rate or class Cultivated
in each year, from any period you
may think proper to name, in the
Forms accompanying—

I shall be much obliged
to you to add to these accounts
the necessary explanation, if any
other causes, in addition to those
of high Assessment and general
unfavorableness of Season, may
have contributed to the decrease
of Cultivation in those particular
Villages, or if the high rates could
have been maintained by improving
the irrigation in the case of the
Nunjah Lands. Perhaps you will
be

be able to furnish me with similar accounts of a few of the 52 Villages included in the Statement accompanying Mr Peter's letter of the 22d of February 1828 shewing the result of the reduction of the assessment then made, up to the present time, and comparing them, in the same detail, with other Villages in which higher rates of assessment prevail tho' similarly circumstanced in other respects.

Any accounts which you can furnish me with, of Villages which have particularly improved or deteriorated since their coming under

under direct Government (Ryotwarry)
management with an explanation
of all the causes to which such
changes [either good or bad] are attributed by yourself
your public Servants or by the
most intelligent of the Ryots
will be of great use to me, &
shewing if possible by some
positive facts or statements
the real amount of benefit
which the construction of a Bandy
road or other improvements might
have, or have, produced in the
value of property connected
with Land.

I shall be much obliged
to you to accompany the accounts
of

See ac-
companying
Mem. in
Hindoo[illegible]

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of the Villages referred to in the
Letter & selected by you with the best comparative
Statements you can procure to
shew the increase or decrease
of population and property—

the
accompany
two or
any other

Fort St George
3d July 1839
Recd 7th JB

I have the honor to be,
Sir,
your most obedt Servant
C. Motton

Rev. Departt

No. 783

Extract from the Minutes of Consultation Under date the 14th June 1839. -

Read the following Extract from the Proceedings of the Board of Revenue. -

(Here enter 29th April, 1839 No. 178)

Para. 1. The Season of Fusly 1247 in the District of Madura appears to have been more favorable than the preceding one, and to have brought with it an increase in the cultivation of wet land throughout the District, and of dry only in the

Madura

Madura portion, this description of cultivation having been more li=mited in Dindigul. The necessity for granting remissions for withered Crops to the extent which was called for in fusly 1246, did not exist in the Year under consideration, and this circumstance contributed in a great measure to the favorable re=sult which the comparison of the revenues of the two years exhibits _

	Rs	a	p
Fusly 1246 -	1,35,495	2	5
" 1247 -	12,886	11	4

2. The total settle=ment of the District amounted as per Margin to Rupees 16,33,630-10-10, exceeding the settlement of Fusly 1246 in Rupees 1,69,746-12-10, and

Fusly 1247	Rs	a	p
Ryotwar ———	9,17,331	10	10
Settled Zemindaries	6,26,468	2	"
Unsettled ———	86,547	2	"
Hill revenue ———	3,283	12	"
Rupees	16,33,630	10	10
Total of Fusly 1246	14,63,883	14	"
Average of 5 years	16,00,590	7	"

and the average of the years pre-
=ceding in Rupees 33,040-3-10.-

3. Inclusive of the
revenue from Extra Sources; the gross

Gross Settlement Fusly 1246 — Rs 21,17,536-15-3 a p
1247 — 21,90,538-3-
73,001-3-9

Settlement of fusly 1247 was
in excess of fusly 1246 in
Rupees 73,001-3-9, and
the punctual realization of the
large demand, is, as the Board
paras 5 & 6. of Revenue justly observe, highly
satisfactory and very creditable
to the management of Mr. Blackburne
and his subordinates.-

4. The Right Honorable
the Governor in Council will be
happy to have before him the
results of the inquiry connected
with

with the improvement apparent in the revenues of the Talook of Teroomungalum, to which the attention of the Principal Collector has been called in these paragraps,[+] and approves of that Officer having been required to submit annually a Statement of the extent of land applied to the culture of the Sugar cane, as well as the modification authorized to be introduced in the higher rates of assessment to which the Cocoanut Trees of the District were heretofore subject. [+] paras 12 to 14

5. The remarks of the

Board

(217)

Board of Revenue contained in paras 6 to 10 of their Proceed=
=ings of the 21st June 1838, No 270, respecting the remissions granted in the Madura District during fusly 1246, adverted to in para 5 of the Extract from the Minutes of Consultation of the 23rd July following, do not appear to have as yet drawn any ob=
=servations from Mr Blackburne, neither has any notice been taken of the information desired by Government in para 6 of the same Extract, respecting the proceeding of the Sub-Collector

en

in attaching for arrears the property of persons who were stated by him to be in reduced circumstances.

(A true Extract)

(Signed) H. Chamier
Chief Secretary

Extract from the Proceedings of the Board of Revenue dated 8th July, 1839.

Ordered that a copy of the foregoing Extract from the Minutes of Consultation be furnished to the Principal Collector of Madura for his information and guidance with reference to the Board's Proceedings on the Settlement

of

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of that District for Fusly 1247 dated the 29th April last.

2. The Board observe that in the observations contained in Parah 5 of the Extract from the Minutes of Consultation now recorded the Right Honorable the Governor in Council would seem to have overlooked Mr Blackburne's letter of the 5th July last submitted with the Board's Proceedings of the 19th of the same Month, and which was intended by that Officer as a reply to the Board's observations recorded in their Proceedings of the 21st June 1838 on the Settlement of Madura for Fusly 1246.

(A true Extract)

[signature]
Secretary

Desp 13 July 1839
Comp. [illegible] Recd 16th J.B.

6

2

To

The Principal Collector of
Madura.

Sir,

With reference to my letters to you of dates noted in the margin, I have the honor to request you to select a few Villages, in different parts of your District, which have most decidedly improved in the last ten or fifteen years, as well as a few which have as decidedly deteriorated, and allow accounts in the enclosed form to be prepared and forwarded to me,

27th March 1838.
25th Octr. "
24th Jany 1839.

as

as soon as convenient — I beg of you to give me your opinion and every possible explanation in your power respecting the causes assigned by the Ryots — themselves or by your Native Servants for the favorable or unfavorable changes which have taken place — Where compari-sons can be fairly made to shew the result of any parti-cular measures or modes of administration, (such as Village-rents, Individual money-payments, Division of produce or Mootah-dary Settlements &c) you will I trust furnish me with ad-ditional Statements in such

Forms

See Mem. enclosed

Forms as you may think pro-
-per. –

You will oblige me
by informing me if an ex-
-tensive decrease in the cultiva-
-tion of a Village is univer-
-sally followed by a general
depression in the circumstances
of the Inhabitants, or whether
there are many instances of
the Ryots having turned their
means into a more profitable
and enriching Employment to
their general benefit and im-
-provement. –

I beg of you to
state whether it is decidedly -
observable

Observable that Villages held in Jaghire, Inam or at low rates of assessment or where the Ryots enjoy an unusually large proportion of Maunium or rent-free lands, are in a more prosperous and improving condition than those in their immediate vicinity where the full assessment is paid to Government with the ordinary exemptions only —

I have the honor to be,
Sir
Your most obedient Servant

Fort St. George }
9th. July 1839 }
Desp 16 Do
Recd. 21st. July 1840

[signature]

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Revenue Department

12

Circular

To

The Principal Collector of

Madura

Sir,

To enable the Board of Revenue to reply to a reference from Government I am directed to request that you will furnish a return of all schools in your District maintained by the aid of Enams, Yeomiahs, or other assignments of the Public Revenue, specifying the nature and extent of the support so afforded; and that you will at the same time state your opinion as to

whether

whether all such schools and the emoluments annexed may not advantageously be placed under the control of the Education Committee in the same manner as Medical Yeomrishs are placed under Medical authorities.

Rev. Bd. Office, Fort St. George, 5th August, 1839.

I have the honor to be,
Sir,
Your most Obedient Servant

[signature]
Secretary.

Despd. 16 Do.
Recd. 19th

Compd. [signature]

Revenue Department.

To the Principal Collector of Madura

Re

Sir,

Para. 1 The Board of Revenue having recently had occasion to lay before Government, in elucidation of a Petition on which a report was called for, your letter of the 16th February 1838, I am now directed to transmit to you the annexed Copy of an Extract from the minutes of Consultation of the 12th August, having reference to certain observations which in that communication you have thought fit to record.—

You

2 You will be pleased to supply any explanation you may wish to offer on the subject noticed in these proceedings for submission to the Right Honorable the Governor in Council at your earliest convenience.-

I have the honor to be,

Sir,

Your most Obedient Servant

Revenue B^d. Office,
Fort S^t. George,
26th. August 1839-
Rec^d. 31st. D^o.

[illegible]
Secretary-

Extract

Comp^d. [illegible]

Extract from the Minutes of Consultation dated 12th August, 1839.-

Read the following letter from the Secretary to the Board of Revenue dated 25th July 1839.-

(Here enter No. 328)

Under the circumstances stated in the foregoing letter, the Right Honorable the Governor in Council concurs with the Board of Revenue in the opinion expressed therein, and desires that Petition No. 426 of 1839 be returned to ~~the~~ Petitioner with the following endorsement.-

The

"The Petitioner is informed that orders have been issued to the Principal Collector of Madura to associate him in the Meerassy on the occurrence of a vacancy."–

The observation of the Principal Collector of Madura in the concluding part of the 2d para of his letter of the 16th February 1838, "that many summary orders "both unjust and impolitic are "obtained from Collectors" few of which "it is to be hoped are finally "enforced," does not appear to have attracted the attention of the Board

Board of Revenue, and as the Right Honorable the Governor in Council is not certain that he understands Mr. Blackburne correctly, he requests before recording his sentiments thereon, that the Board will call upon that Gentleman for further information on the subject, and require him to adduce any instances which may have come under his notice to induce him deliberately to record so severe a censure on the Revenue administration of the Country.—

(Signed) H. Chamier
Chief Secy.

(A true Copy)

[illegible]
Secretary.—

Despd 28 Augt 1839.
Compd. Hob. Recd 31st Augt JD

Rev. Department

No 331.

To

Re.

The Chief Secretary to
Government
Sir

Para 1. I am directed by the Board of Revenue to request you will submit for the consideration and orders of Government the accompanying letter from the Principal Col-
1839 =lector of Madura with its enclosure having reference to a proposal made by the Zemindar of Vaylcor and Kullumenthai for permission to abandon the latter Estate to Government, the Peishcush thereon with

reference

-sequences to its produce being so high as to render the Mootah not worth retaining.

2 The case of Moothoosawmy Naik the present applicant is not exactly similar to those of the Poligars of Edia cotta and Mambaray which have been recently disposed of in as much as the present Petitioner retains a separate Estate and does not solicit a Malikana or allowance for his subsistence out of the assets of the land of the Kullumenthai Estate. He merely seeks to relinquish a Zemindary to Government which he finds an unprofitable one as he undoubtedly possesses a perfect

right

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right to do.

3 There would therefore be no doubt of the propriety of acceding to the Zemindar's wishes unless with reference to the declared intentions of the Court of Directors as set forth in their Despatches of the 22d March 1837 and 13th May 1835 it be thought right to direct the application of the principle there enforced of re=ducing the Assessment wherever it is found to exceed the capa=bilities of the Estate. If Govern=ment should determine that the orders of the Honorable Court should be applied to the case of the Zemindar of Vayloor

and

and Hillamunthai it will be proper to reduce the Peishcush on the latter Mootah otherwise authority is requested for assuming the Estate in accordance with the proprietor's request.

4 In the event of the first alternative being taken by Government the Principal Collector will be required to submit his sentiments on the amount of reduction which it will be necessary to make so as to bring the Peishcush within the means of the Zemindar's payment. The Statements now submitted shew that on an average of twenty four

four years the gross Collections barely exceed the Government demand.

Rev. Board office, Fort St. George, 25th July, 1839 } (Signed) P. B. Smollett. Secretary

Extract from the Minutes of Consultation dated 12th August 1839.

The Right Honorable the Governor in Council is of opinion that it would be just and expedient to apply the principle prescribed by the Honorable the Court of Directors to reduce the Assessment wherever it is found to exceed the capabilities of an Estate to the

the Kullumunthai Zemindary, and

he accordingly requests the Board

of Revenue will call upon the Princi-

=pal Collector to submit his opinion

as to the amount of reduction

it will be proper to make,

so as to bring the Peishcush

within the means of payment

by the Zemindar.

(Signed) Hy. Chamier

Chief Secretary.

Extract from the Proceedings of the Board

of Revenue dated 26th. August 1839.

Ordered that Copy of the

letter from the Board's Office

to the Chief Secretary to Government

under

under date the 25th July with trans=cript of the resolution of Govern=ment thereon be furnished to the Principal Collector of Madura for his information and guidance with reference to his letter of the 10th Ultimo.

Mr Blackburne will be pleased to report at his earliest convenience the amount of Reduc=tion which it will be proper to make in the permanent Peish=cush of the Hullumunthai Ze=mindary to enable the present Proprietor to hold it with profit to himself and he will at the same time intimate to the Zemindar

the indulgence that Government is prepared to extend to him.—

The Reduction that may hereafter be allowed should have effect from the commencement of the present July.—

Recd 1 Sept. JB

(True Extract)

J. Hebert
Secretary.—

Desp. 29 Augt 1839
Compd. In Lambert

Revenue Department.

Extract from the Proceedings of the Board of Revenue dated 19th September 1839.-

M.

Para 1 Read again letter from the Principal Collector of Madura dated 18th July 1838 proposing certain reductions in the assessment of the lands of the Village of Vadapetty in the Dindigul Division.-

2 Mr Blackburne attributes the extent of land left waste to over-assessment and proposes a reduction in lands of the

the four first Classes as follows.—

	Fanams per Goontah		Fanams
From	6	to	4
	5 . . . 14	to	4
	4 . . . 14	to	3
	3 . . . 15	to	2

which he states would be in conformity to the reduced rates in the neighbouring Villages.—

3 Mr. Blackburne represents the Village as unfavorably situated and of poor and stony soil, and considers that as there is no want of Cultivators, the fact of its extensive waste is a proof of the assessment being too high.—

4 In the absence of all details

details of the relative productive powers of the lands of this Village and of others in the neighbourhood and of all positive proof that the present rates of assessment are excessive, the Board are unwilling to allow a reduction in any one particular case when the revision of the land tax of the whole Division is under consideration.

5 It is not stated by the Collector to what Villages he alludes as being already assessed at the reduced rates which he now recom=mends may be adopted in Vadaputty and whether means have been taken to ascertain that the soil and circumstances

circumstances of the Villages are similar.-

6 At the rates proposed by Mr. Blackburne, the assessment on lands now under cultivation will be reduced from 112 to 85 Chuckrums. In referring to the accounts of this Village the assessment previously to the introduction of the Survey rates is seen to have amounted to 140 Chuckrums and of several averages of annual Collections between Fusly 1220 and 1238 none falls below 100 Chuckrums, and tho' from the fact of 169 Cawnies of the worst land; assessed at only 1 Fanam per

Goontah

Goontah, having been brought under Cultivation since Fusly 1213 whilst much of the better sorts of land has been deserted, the Board have little doubt that a revision of the rates is required, they do not consider themselves justified with the very limited information now before them to approve of so large a reduction in this one particular Village.—

7. The Board are anxious to remove over assessment wherever it may be discovered, but without detailed accounts shewing distinctly the errors of the existing settlement and the data on which the proposed

reduction

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reduction is founded, no satisfactory decision can be formed, and the Principal Collector is requested to furnish such further information as he may be able to procure, at his earliest convenience.—

(A true Extract.)

Recd 29th Sept 1813

J. Wheelock
Secretary—

Desp 25 Sepr 1839
Comp^d J. Lambert

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Revenue Department.

To

THE COLLECTOR of

Madura.

SIR,

I am directed by the Board of Revenue, with reference to their Circular orders dated 13th July 1826, to transmit for your information, an Extract from the Register of Petitions for the months of July and August last.

I have the honor to be,

Sir,

Your most obedient Servant,

[signature]

Sub Secretary.

REVENUE BOARD OFFICE,
Fort St. George,
23 September 1839.

Desp 3 Octr Do.
Recd 8th Do.

Madura

Extract from the Register of Petitions for the month of July 1839.

No.	Names of the Petitioners.	Purports of the Petitions	Orders of the Board.
572 of 1839	From Alaguppah Reddy son of Olyreddy cultivating inhabitant of Chokalingapooram subject to the Talook of Madacoolum in the Zillah of Madura.	Prays that orders may be given to allow Petitioner to construct a Tank for the irrigation of his land, which at times suffers from want of Water.	The Principal Collector of Madura will be pleased to pass such orders on this Petition as may seem to require. 15th July 1839.
622 "	From Soobboo Goorookul Stanegar of Nunganadaswamy Pagoda in Paroovy subject to the Talook of Maroongapoory in the Zillah of Madura.	Complains of his allowance of rice being distributed to strangers.	The Principal Collector of Madura will be pleased to dispose of this Petition. 15th July 1839.

(True Extract)

R. D. Parker

Recd 8th October 1839 JB

Madura.

Extract from the Register of Petitions for the Month of August 1839.

No.	Names of the Petitioners	Purport of the Petition	Orders of the Board.
681 of 1839	From Cooppay Aundy Shervagar peon of Camoody Chowkey in the Zemindary of Ramnad in the Zillah of Madura.	Bringing to notice certain abuses committed in the inland collections.	The Principal Collector of Madura will be pleased to take such notice of Petitioners statement as it may appear to him to deserve. 26 August 1839.
748	From Streenevasa Iyengar Mootterooliappen and Malayappen Curnum &c. Ambala Meerassidar of Worasoor in Sheragungay in Madura.	Claiming the continuation of certain privileges lately enjoyed by them for services rendered to the Village.	The Principal Collector of Madura will be pleased to state the nature of the claims advanced by the Petitioners in this address. 29 August 1839.

(True Extract)

A. Fortin[?]

Sub Secretary.

Received 8th October 1839 [initials]

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Revenue Department

Extract from the Proceedings of the Board of Revenue dated 3d October, 1839.-

Read the following letter from the Principal Collector of Madura dated 16th September, 1839.

(Here enter No. 72.)

The Board are desirous of more particular information in this case - They wish to know from what period the Petitioners have received the high rate of Sotantram claimed by them and the grounds of the Principal Collector's opinion that they cannot have a prescriptive right to the same, because lower rates

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-ates prevail in the Magarnom generally. –

A true Extract

R. D. Parker
Acting Secretary

Recd 12th Octr [illegible]

Desp 9 Octr 1839.
Compd Lhambert

Circular

To
The Principal Collector of
Madura.

Sir,

I have the honor to request you to allow a statement to be prepared in your District, in the Form accompanying as far as it may be practicable, of the cultivation of Enam lands from any period which your Village, District or Huzzoor accounts may enable your Sheristadar to compile it with tolerable accuracy

accuracy. If any material change has taken place in the extent of Cultivation of Enam and Mannem lands, I shall be greatly obliged to you to explain the cause, as well as the effect it may have had on the cultivation of Sircar lands and on the price of produce and the condition of the Ryots. —

Fort St George } I have the honor to be
10 October 1839 } Sir
Recd 14th JB
Your most obedient Servant

C. M. Mn

P.S. It occurs to me that in obtaining detailed information on the subject of Enam and Maunium Lands some doubts may be created in the minds of the Ryots as to the object — Should that where local enquiry may be necessary but unusual and may appear to you at all objectionable, you will desist from making it, and afford me only such information as your Hoozzoor records may contain. —

Rev. Department

Extract from a Letter from the Honorable the Court of Directors dated 11th July 1838 No. 10.

84 An annual remission of Rupees 3881-5-6 granted to the Zemindar of Shevagunga in Madura on account of the resumption of the Moturpha, with arrears, amounting to Rupees 115,840-6-

Para 70. It evidently appears that the produce of the Moturpha Tax was included among the assets upon which the permanent settlement of this estate was calculated. And as the Collection of this source of revenue by the Zemindar was prohibited so far back as Fusly 1215 (1805) he is manifestly intitled to relief to the extent to which his resources have been diminished by that

prohibition.

prohibition. We therefore entirely approve the grant of this remission, both prospectively and retrospectively, and have only to express our regret that in this and other similar instances, so long a time has been suffered to elapse without the claimants receiving at your hands that justice to which they were so evidently entitled.—

Extract from the Proceedings of the Board of Revenue dated 28th October 1839.

Ordered that a Copy of this Para be furnished for the information of the Principal Collector of Madura.

(A true Extract)

[signature]

Acting Secretary.—

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Revenue Department

To

The Chief Secretary to

Government

Sir,

Para 1 Under date the 25th July last the Board submitted an application by the Zemindar of Vayloor and Kullamuthar to be allowed to resign the latter Estate on account of its unprofitable nature with reference to the amount of Pashcush, but the Government deeming it just and expedient to apply in this case the principle prescribed by the Honorable Court of Directors to

refused

reduce the Peshcush wherever it may be found to exceed the capabilities of an Estate, directed that the Principal Collector might be called upon to state his opinion as to the amount of reduction it would be proper to make so as to bring the Peshcush within the means of payment by the Zemindar.

2 — I am now directed to request that you will lay before the Right Honorable the Governor in Council the reply of the Principal Collector to this reference, in which he states that the Zemindar is unwilling to retain the charge and responsibility of Kullamunthai unless the 16 Sept. 1834

the Peshcush be reduced nearly 24
per Cent or from Rupees 9855-12-7
to Rupees 7500. This large reduction
Mr. Blackburne expresses himself
unable to recommend without experience
of the capabilities of the Estate and
with no other accounts than those
furnished by the Zemindar and
he proposes instead that the Estate
may be assumed for 3 years, during
which period he thinks satisfactory
data may be obtained whereon to
make any change that may appear
desirable.—

3 As the measure suggested
by the Principal Collector appears
to the Board to be very advisable,

both

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both as regards the particular case = and also with a view of obtaining grounds for an opinion as to the relative proportion of the Peshcush to the profits of the Estates generally in this District, they beg to recom=mend that Government will be = pleased to sanction it's adoption —

Revenue B^d. Office
Fort S^t. George,
3^d. October, 1839

(Signed) R. D. Parker
A^g. Sec^y.

Extract from the Minutes of Consultation, dated 4th November 1839.

Agreeably to the recom=mendation of the Board of Revenue the

the Right Honorable the Governor in Council authorizes the Principal Collector of Madura to assume the Zemindary of Kullamunthai for the period of three years for the purpose specified in the above letter.

(Signed) H. Chamier
Chief Secretary

Extract from the Proceedings of the Board of Revenue dated 21st November 1839.

Ordered that a copy of the foregoing Extract from the Minutes of Consultation of Government and of the Board's letter to which it has reference be furnished for the information and guidance of

the Principal Collector of Madura,

who will accordingly resume the

Kullamunthai Estate which the

Zemindar has submitted a request

to resign.—

At the expiration

of the period of 3 years it will be

necessary for the Principal Collector

to make a special report on the

outturn of the Estate, and express

his sentiments as to it's future dispos-

-al.—

(A true Extract)

H D Cullen

Asst. Secretary

Recd. 18th November 1823